

# BALLABGADH COMMUNAL VIOLENCE

*Fact finding report*

*3rd June 2015*



## **Ballabgarh Communal violence– 25<sup>th</sup> May 2015**

A team from Human Rights Law Network, consisting of 3 Lawyers and 3 social workers (4 men and 2 women) headed to Ballabghadh police station on 1<sup>st</sup> June 2015. This was after we read reports about a communal clash resulting in displacement of about 1000 people from the minority community who are now camping at the Ballabghadh police station. Upon arrival one could sense the gravity of the situation. Divided in two groups were two make shift camps. The men were assembled in the front lawns whereas the women were placed in a tent at the parking space. An ambulance stood at the gate of the police station.

The first people that the team met were the DCP and SHO in charge of the Ballabghadh police station. They informed us that the people were placed comfortably at the police station and that no recurrence of violence had occurred. They also said that they were trying to reconcile the two groups and send them back to their homes as soon as possible. They advised us to maintain civil discussion with the groups and not to instigate any kind of disturbance.

The female lawyer and social activists headed to the tent where the women and children were placed. The rest of the team started discussion with the victims and the complainants. The team met with the women, children and men at the compound of the police station. Their situation is currently miserable as their administration and state have not been providing them with enough relief material. It's more the groups and other organizations who have been providing them with immediate relief.

This was not conceived of as a fact finding visit, but was a recce visit to determine the human needs on the ground in the relief camps, and to see how we might plan to help the survivors in initiating procedures towards criminal justice (lodging of FIR's and complaints), accessing compensation for injury, destruction of property, and also to confirm unverified news reports.

Though not planned as a fact finding what we found on the ground has shaken us, and is so dismal that we feel compelled to put down some of our main observations and

circulate them, to add incrementally to the body of knowledge about what is happening so that many more of us can build on it and plan help and interventions.

### **Communal violence at Atali village, Ballabghadh, Haryana**

The events on the 25<sup>th</sup> May 2015 was a result of a court order dated 21<sup>st</sup> March 2015, the ruling of which, was in favour of the construction of the mosque. On the morning of 25<sup>th</sup>, the villagers had heard rumours of a riot on a breakout. They had complained to the local thana upon which they were told that the mosque would be given security and that people could resume their prayers without any hesitation. The SHO Babulal ordered the construction work of the mosque to be stopped because the atmosphere of the village was getting heated up. In the meanwhile when people collected to read the late afternoon prayers, another lot of people assembled around the mosque and started pelting stones, setting fire and spraying petrol on the mosque. The gathering was disrupted in the middle of prayers and people ran back to their homes.

Around 5:45pm, before the *Asr* prayer the minority community of the village heard a mob coming their way. People had gone to the mosque to pray while some women were praying at home while others were busy preparing the meal for the night. The villagers could hear a group of people coming towards them and they narrated it as if it 'rained stones'. The mob was attacking the people with stones, swords, daggers and axes. Along with that the rioters were also using gas cylinders and petrol bombs. The rioters also fired some shots in the air. This went on for about two hours in which there was hardly any interference of the law and order machinery. The people fled to their homes when there was some respite in the attacks and most of the families took refuge in the Ballabdgah police station, which was their temporary refuge until June 3, 2015<sup>1</sup>.

Men and women were beaten equally. A mob of 3000-4000 Jats, men and women, encircled the Muslim residences. They were armed with jerry cans of kerosene, petrol,

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<sup>1</sup> <http://www.hindustantimes.com/india-news/muslims-return-home-after-ten-days-in-ballabgarh/article1-1354667.aspx>

agricultural implements and lathis. The SHO apparently told the gathered lot that they would have two hours before any authorities would intervene. What followed was targeted burning of 25 houses of relatively prosperous Muslims. Before the Jat men set the homes ablaze, their women ransacked jewels, cash, and clothes.

We spoke to Sagiran who was a member of the Akhil Bhartiya Muslim Yuva Ekta Committee r/o 223, #2, Yadav colony, Ballabhadh. She and the group of women at the Ballabhadh police station testified the following

- The women testified that people entered their homes and started burning the Quran placed on the racks. Women were also involved in these activities. The stone pelting continued for two to three hours. In this duration the GAIL gas pipeline which ran through the village was also damaged.
- An approximate of 25 houses was damaged. The police entered the scene two to three hours after the rioting. The women narrated that one of the first people attacked was the Imaam at Sector 6. Isaac Khan Lumbardar was another person heavily attacked and his house was also damaged.
- The women listed out a few names of the women who conspired in this rioting, spread rumours and so on. Durgadevi, Aasha, Leela, Rani, Seema, Rajendri, Ballo, Kripa kohlis daughter, Heni Mala, Rampals daughter in law, Pushpa ( Banna Pappus wife), Bala, Kaluas wife and Rajish ( Satish's wife). They also listed the men involved – Baman, Pappu, Leeli, Satish, Lakha and his son Sundar, Vedan and his two sons, Narendra Doodiya and his two sons, Sabhsukha and his three sons, Shyam and his three sons, Virenders son Arvind (he initiated in lighting the fire in the houses) along with Tej Singh, Debu, Hoshiyar, Rattans three sons Rahul, Sandeep , Nitin. It seems that the police had nabbed a couple of the men but left them by the same evening in an hour.

There have been a considerable number of articles in the print media but very little in the electronic media coverage on the violence that took place in Atali. There are few reports <sup>2</sup> that cover the story. The incident was primarily on the construction of the mosque at Atali. The mosque was being build on the property of WAQF board, and the court order was also taken for its construction.

In our interactions with the people who had taken refuge in the police station the following were the key observations:

- Firstly, the administration has been hardly supportive in terms of relief and it has been members of the community and other organisations that have been providing them with some relief. Reports confirm that children and women are suffering the most as at times children below the age of 5 do not have milk to drink.
- The people have been sleeping in the open, with women being provided a partially covered tent and there were two aircoolers to provide them with some respite of the terrible summer heat.
- In terms of sanitation there were only two toilets available for use within the premises of the police station.
- A lot of the women and children had some levels of illness due to spending time in the heat and there was just one ambulance standing outside the police station.
- Some women had bruise marks on their hands and legs which was a result of the attack on them by the women of the dominant community.
- We had a short interaction with the District Collector and the commissioner of police in the police station and even though we raised questions about the

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<sup>2</sup> <http://scroll.in/article/730652/fifty-kilometres-from-delhi-hundreds-of-muslims-have-become-refugees-overnight>

<http://twocircles.net/2015jun02/1433261085.html#.VW36L8-qqkp>

situation they mentioned that they were dealing with the situation in a pragmatic manner to first instill some peace in the community. This sounded absurd, as if they were serious about instilling peace, the first thing that should have happened should have been the arrests of the rioters/accused as well as registering the FIRs that the people has sent as complaints.

- The elected representative, i.e. the local MLA, (Tek Chand Sharma, BSP) has been doing the rounds to the police station and trying to broker peace without even wanting to listen to the initial demands of the members of the minority community. Neither is he pushing the law and order machinery for arresting the accused.
- There were also representatives of various political parties who had visited the place to understand the situation and also extended solidarity. One of these felt that the situation in the village was not yet calm and peaceful for the members to return. The arrival of Assaduddin Owasi and extending support to the victims was termed by the administration as politicizing the atmosphere, but they are refusing the fact that incident itself was politically motivated and planned in advance.
- We then visited the village and the following are our observations: There seemed to be a sense of tension in the village with most shops being closed as well as a considerable presence of police personnel.
- The section of the village, which housed the minority community, was deserted and some of these house burnt and bombed to cinders.
- A few of the houses particularly, the houses of Isaac Khan lumbardar and the Ali household were completely ransacked and burnt. In a few other houses petrol bombs were thrown as well as gas cylinders exploded which had brought down the roofs of the houses as well as leaving the marks of charcoal on all the things in these houses. Modest TV sets, DVD players, refrigerators and air-coolers lay twisted, singed by the heat.

- In the house of Haji Shabir Ali, there were three cars that were burnt to ashes, the safety bureau ransacked/looted.
- The compound walls of the mosque were reduced to rubbles as well as the construction of the mosque stopped half way through.



After our visit to the village, we visited the hospital and met with the injured people. The following are the details of three of the twelve people who sustained injuries.

**Victim 1 :**

Naemuddin, aged 27 years belongs to Bhadkal Jheel village, came to work as a daily wage labourer for the construction of the mosque. At the time of the incident he was working. He wasn't spared and was a victim of an acid attack. The rioters threw acid on his face and hands. He was also beaten by the rioters.



### **Victim 2 :**

Hassan Khan, aged around 60 years was attacked by an axe and a sword. He sustained head injuries and had 14 stitches in the middle of his head. He was also beaten up that lead to an arm fracture and 12 stitches on the right fore arm. The calf muscles were torn by the sword used to attack him.



### **Victim3:**

Buddhan Khan, aged 45 was in the masjid offering his prayers when he was attacked by laatihs , swords and axes. He sustained injuries on his head, back, hands and legs. His two fingers were chopped off. He was beaten black and blue and his back showed two scars of the sword he was attacked with.





The team gathered many painful testimonies from survivors as mentioned above. For the moment our main observations and recommendations are as follows:

1. **Tragedy with no clear numbers**: The situation on the ground is a human tragedy of big proportions. There are simply hundreds of terrified, trembling, desperate people sitting in relief camps, with the bare minimum of facilities. Men and women weep openly as they speak to us. People have sought shelter in many places – in the visible camps, in the less visible camps (private homes and small madrasas), in homes of relatives and friends.

2. **Largely poor among the displaced**: A vast majority of those we met were poor Muslims belonging, among others, to Teli, Faqir, Meyo and Shakha castes. A few families we met were a trifle more well-off – owning a scorpio, wagon R and alto vehicle. Some families worked as daily wage labourer and as agricultural labourer.

3. **State abdication**: The overwhelming cry from the camps is that the State administration, which abdicated responsibility for security and protecting people, has equally abdicated responsibility for relief. And it is now fully poised to abdicate responsibility for the subsequent rehabilitation of thousands of internally displaced persons, whose fate is uncertain. The villagers have repeatedly mentioned the role of the SHO Babulal Datey in the riot. It was solely his doing that the rioters were given a

window of two to three hours to create as much damage as they could before which the police would intervene.

4. **Citizen's Relief Camps**: The camp at the police station is being run by Muslim community members and local leaders. They are pooling in resources and trying to ensure that basic needs of clothes, food and medicines are met. The State authorities appear to take this fact for granted – as if this is how it is meant to be in communal violence situations – those caring and pained citizens take on the job that is firmly the constitutional duty of the State, with its vast administrative machinery and resources. It is shameful that the bar of citizens' expectations of State authorities is so low, that the assessment of the State's response begins with – what support they are providing to these citizen-run camps. And any minimal State support to the camps is pro forma, reluctant, lacking in will, with no evidence of actively seeking to help, heal, or respond to real needs.

5. **No assistance to help survivors pursue justice**: District administration was questioned on why they accepted only 9 FIR's when a total of 75 were brought to them out of which only one was charged with Sec 307 of IPC. We believe that there is a need for lawyers to assist survivors at this crucial stage, including in recording statements, and for district legal aid authorities to come forward.

6. **No state assistance to help survivors' access compensation**: There is complete unwillingness to help survivors access any compensation for loss of movable and immovable properties. There are no publically available principles for assessment of compensation. When asked about what survivors should do for loss of valuables, goods, cattle, machines, we were told – 'they can file FIRs for loot and theft, but how can the State give compensation because we do not know if what they claim is true.' There was a palpable sense of apathy in the attitude of the administration towards the destruction of livelihoods of Muslims, though the evidence shows substantial losses to this community.

7. **Unsanitary conditions and health needs:** The camps reported of unsanitary conditions especially for pregnant women and children. Pregnant women require essential care and there are no adequate arrangements for the same. Women are living unsanitary conditions and there is risk of infection. The urgency to organize medical intervention, and at least ensure the presence of para-medics, did not seem important to the administration at all.

8. **Sense of insecurity to go back** : In the camp, the question – *do you want to go back to your village?* was met with both fear and fury. 'How dare you suggest that? How can we? Never? They will again attack and kill us. I will rot here, but I can't go back'. In spite of these fears and stigma attached with the victims of the violence, there is no sign of any acknowledgement from the state. The district administration appears determined to remove the camp. There was no appreciation or empathy for the fear and resistance of most victims being 'forcibly' sent back; there was instead a bureaucratic insistence that 'things were normalizing'.

9. **Physical and mental trauma:** The men were outrageously thrashed by the rioters. Women were also beaten up. About twelve men have sustained grievous injuries who are admitted at the Badshah Khan (BK ) Hospital. The children at the camp were extremely traumatized by the whole incident.

We also went to the village Atali. Even though we didn't walk around the entire village the sites that we saw were really disturbing and the following images are just a small glimpse of the disaster that has struck the people of this village.10. Overall, the team felt that the 'incident' was not just a response to the construction of the mosque, but a more planned attack on the members of the minority community who have in the recent years been moving up the economic ladder in the society. This is clear in the specific targeting of the houses in the aftermath of the running away of the members of the village.

11. Also, the fact that there were people from other villages who had also assembled together with the members of the village shows that this was one of the ways to instill fear within the minority community. The levels of polarization within the community, which has largely been peaceful apart from a small incident of dispute in 2009 shows the involvement of outside political forces in the entire 'riot'.

#### RECOMMENDATIONS:

- Immediate arrests of those named in existing FIRs and accepting of other complaints filed by other members of the village.
- Help the survivors to pursue legal justice and get medical check-ups
- State security for people to visit their villages to assess damage, and a long-term plan of providing safety and security for survivors who want to go back to their villages
- Compensation for the injured and also for those who lost their livelihood
- Construction of the mosque
- Immediate termination of the SHO in-charge of the village

Date: 3<sup>rd</sup> June, 2015.

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