



सत्यमेव जयते

**REPORT**  
**OF THE**  
**COMMISSION OF INQUIRY**  
**ON**  
**COMMUNAL DISTURBANCES**

**AHMEDNAGAR**

**(SEPTEMBER 18, 1967)**

**1970**

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**List of Abbreviations used in the Report**

a.m.	.	.	.	<i>ante meridiem</i> , before noon.
C.I.D.	.	.	.	Criminal Investigation Department.
Cr. P.C.	.	.	.	Criminal Procedure Code.
Dy. S.P./D.S.P.	.	.	.	Deputy Superintendent of Police.
D.I.G./D.I.G.P.	.	.	.	Deputy Inspector General of Police
D.M.	.	.	.	District Magistrate.
Dr.	.	.	.	Doctor.
Ex.	.	.	.	Exhibit.
etc.	.	.	.	<i>et cetera</i> .
ft.	.	.	.	feet
F.I.R.	.	.	.	First Information Report.
I.G.P./I.G. of Police	.	.	.	Inspector General of Police.
i.e.	.	.	.	that is
L.I.B.	.	.	.	Local Intelligence Branch.
p.m.	.	.	.	<i>post meridiem</i> , after noon
P.S.O.	.	.	.	Police Station Officer.
P.S.I.	.	.	.	Police Sub-Inspector.
P.I.	.	.	.	Police Inspector.
P.S.	.	.	.	Police Station.
R.S.S.	.	.	.	Rashtriya Swyam Sevak Sangh.
S.P.	.	.	.	Superintendent of Police.
S.I.	.	.	.	Sub-Inspector.
S.R.P.F./S.R.P.	.	.	.	State Reserve Police Force/State Reserve Police.
S.D.P.O.	.	.	.	Sub-Divisional Police Officer.
Smt.	.	.	.	Shrimati.
Sr.	.	.	.	Senior.

**PART I**  
**CHAPTER I**  
**Introductory**

1.1 A number of communal disturbances occurred at various places in the country between the months of August and October, 1967, and the Central Government decided to appoint a Commission to inquire into these disturbances.

1.2 The text of the notification issued by the Central Government on 1st November, 1967, is as follows:—

**NOTIFICATION**

“S.O. 3960.—Whereas the Central Government is of opinion that it is necessary to appoint a Commission of Inquiry for the purpose of making an inquiry into a definite matter of public importance, to wit, the communal disturbances that have occurred in the country since the first day of August, 1967:

Now, therefore, in exercise of the powers conferred by section 3 of the Commissions of Inquiry Act, 1952 (60 of 1962), the Central Government hereby appoints a Commission of Inquiry consisting of the following persons, namely:—

*Chairman*

1. Shri Raghubar Dayal, Retired Judge of the Supreme Court of India.

*Members*

2. Col. B. H. Zaidi, Bar-at-Law, Member of Parliament.
3. Shri M. M. Philip, formerly Secretary to the Government of India.

(i) The terms of reference of the Commission shall be as follows:—

- (a) to inquire into the causes and course of the major communal disturbances since the first day of August, 1967, at the places and on or between the dates specified in the Schedule to this notification;
- (b) to inquire into the adequacy of the administrative measures taken to prevent and deal with the said disturbances,
- (c) to recommend measures which may be adopted for preventing the recurrence of such disturbances; and
- (d) to consider such other matters relating to communal disturbances as the Commission may think fit.

(ii) The Commission shall make a report to the Government on the disturbances at each place as it completes its inquiry in relation to that place and will be expected to complete its inquiry and submit its final report to the Central Government by 30th April, 1968.

2. And, whereas, the Central Government is of opinion having regard to the nature of the inquiry to be made by the Commission and other circumstances of the case, that all the provisions of sub-section (2), sub-section (3), sub-section (4) and sub-section (5) of section 5 of the Commissions of Inquiry Act, 1952 (60 of 1962), should be made applicable to the Commission, the Central Government hereby directs, in exercise of the powers conferred by sub-section (1), of the said section 5, that all the provisions of sub-section (2), sub-section (3), sub-section (4) and sub-section (5) of that section shall apply to the Commission.

### SCHEDULE

1. Ranchi-Hatia (August 22—29).
2. Jainpur and Suchetpur (District Gorakhpur—U.P.) (September 24-25).
3. Ahmednagar (September 18).
4. Sholapur (September 17).
5. Malegaon (Maharashtra) (September 24).
6. Sursand (District Muzaffarpur—Bihar) (October 13—15.)

1.3 The time for submitting the final report was later extended by Government to 31st May, 1970.

1.4 The first meeting of the Commission was held on 20th November, 1967 and thereafter meetings were held as and when necessary. In their letter No. 19/47/67-PolI(A), dated 30th November, 1967, the Government of India made a request to the Commission that the Commission should sit in private while recording evidence. This request was made under the proviso to rule 1A of the Central Commissions of Inquiry (Procedure) Rules, 1960. According to this proviso, a request made by the Central Government has to be accepted by the Commission and the request was, therefore, accepted. All evidence was recorded *in camera*.

1.5 In accordance with rule 2(b) of the Central Commissions of Inquiry (Procedure) Rules, 1960, a notification was published in the press inviting all persons acquainted with the subject-matter of the inquiry to furnish a statement relating to such matters as were specified in the notification. The following is the text of the notification:—

### NOTIFICATION

“Whereas by the Ministry of Home Affairs Notification No. 19/47/67IPolI(A), dated the 1st November, 1967, the Central Government has appointed a Commission of Inquiry to inquire into the Communal disturbances that have occurred in the country since the first day of August, 1967:

Now, therefore, this notification is issued by and under the order of the said Commission inviting all persons acquainted with the subject-matter of the inquiry to furnish to the Commission statements relating to the matters specified below:

- (i) the causes and courses of the communal disturbances that occurred in Ahmednagar (District Ahmednagar) on 18th September, 1967;
- (ii) whether there have been other communal disturbances in recent years in Ahmednagar;
- (iii) whether there was any tension between the communities immediately preceding the disturbances of September 18, 1967; if so, whether any information was sent to the authorities or any attempt made locally to resolve the tension;
- (iv) whether there is any organisation or group in the locality which has fomented communal tension or directly or indirectly created provocative situations;
- (v) are there any places of worship, properties, customary festivals or processions in the locality that tend to create friction between the communities;
- (vi) has there been any attempt in the local press to raise communal issues in a manner that might create communal tension;
- (vii) were the administrative measures taken to prevent and deal with the said disturbances adequate;
- (viii) was medical aid for the injured timely and adequate;
- (ix) what, in the estimate of the person furnishing the statement, was the extent of casualties and loss of property;
- (x) what, in the opinion of the person furnishing the statement, are the measures that could be adopted to prevent the recurrence of such disturbances.

2. Every statement furnished to the Commission should be accompanied by an affidavit in respect of the facts set out in the statement and sworn by the person furnishing the statement.

3. Every person furnishing a statement shall also furnish to the Commission along with the statement a list of documents, if any, on which he proposes to rely and forward to the Commission wherever possible the original or true copies of such documents as may be in his possession or power and shall state the name and address of the person from whom the remaining documents may be obtained.

4. The statements should reach the office of the Commission, Reserve Bank Building, Second Floor, Parliament Street, New Delhi-1, by the 31st January, 1968."

1.6 The notification was published in the following newspapers on the dates noted against each:—

Free Press Journal, Bombay	27th December, 1967
Indian Express, Bombay	28th December, 1967
Nava Maratha, Ahmednagar	27th December, 1967
Maharashtra Times, Bombay	28th December, 1967
Maratha, Bombay	29th December, 1967
Nav Bharat Times, Bombay	28th December, 1967
Aaj, Bombay	30th/31st December, 1967

1.7 The Government of Maharashtra was also requested to give wide publicity to this notification and to furnish the following information:—

- (i) Brief facts regarding other communal disturbances that may have occurred in Maharashtra in recent years;
- (ii) whether Ahmednagar, Sholapur and Malegaon are particularly susceptible to communal disturbances; if so, what preventive measures have been taken by the State Government;
- (iii) what arrangements exist for the collection of intelligence regarding communal tensions; was there any prior information that communal disturbances were likely to occur in Ahmednagar, Sholapur and Malegaon;
- (iv) were any lists of potentially dangerous persons in the area maintained; if so, were any preventive arrests made;
- (v) what steps have been taken by the State Government for the rehabilitation of victims of the disturbances and for restoring confidence amongst the minority community.

1.8 The last date for receiving statements was subsequently extended to 15th February, 1968, on requests received from several persons and organisations. At the request of the Government of Maharashtra the date for receiving their Memorandum and the statements of their officers was extended up to the 15th April, 1968.

1.9 In response to notification dated the 19th December, 1967, 44 affidavits and statements were received. Of these 15 affidavits were from State Government officers and the rest were from the members of the public and organisations. The affidavits and statements from the public and organisations were received within the time allowed. Affidavits from 11 of the officers were received on 2nd April, 1968 and those from the others were received by the 15th



April, 1968. The State Government's statement of the incidents also reached the Commission on 27th May 1968. A list of persons and organisations who furnished affidavits and statements will be found in Annexure I.

1.10 The State Government was requested to furnish to the Commission the names of organisations, groups or individuals who could be addressed separately and asked to furnish information on the disturbances. This list was received from the State Government on the 19th March, 1968. A revised list with complete details was also received from them on the 11th June, 1968.

1.11 Under rule 3(1) of the Central Commissions of Inquiry (Procedure) Rules, 1960, the Commission has first to record the evidence, if any, produced by the Central Government. The Central Government, however, intimated that they had no evidence to produce before the Commission.

1.12 The Commission recorded oral evidence at Poona in January, 1969. The report was prepared after the recording of evidence with respect to the incidents at Sholapur and Malegaon in Maharashtra in July and October, 1969 respectively.

1.13 All oral evidence was recorded at Poona. In all 30 witnesses were examined. The names of witnesses examined and dates on which they were examined are given in Annexure II. The names of persons who were summoned to give evidence but did not appear are given in Annexure III.

1.14 A list of documents exhibited in the course of oral evidence is at Annexure IV.

1.15 List of documents summoned by the Commission for perusal is at Annexure V.

1.16 We would like to express our appreciation and gratitude to the Maharashtra Government and its officers for their full co-operation and making available all the material the Commission considered necessary for its consideration very promptly.

## CHAPTER II

### Mode of Inquiry

2.1 Rule 5 of the Central Commissions of Inquiry (Procedure) Rules, 1960, provides for the representation of persons by a legal practitioner. The rule is in these words :—

“The Central Government, every person referred to in rule 4 and with the permission of the Commission, any other person whose evidence is recorded under rule 3—

- (a) may cross-examine a witness other than a witness produced by it or him;
- (b) may address the court; and
- (c) may be represented before the Commission by a legal practitioner or, with the consent of the Commission, by any other person.”

2.2 The right to be represented by a legal practitioner is, it would appear, given to the Central Government and to such persons to whom notice is issued under rule 4 which reads thus:—

“If, at any stage of the inquiry the Commission—

- (a) considers it necessary to inquire into the conduct of any person; or
- (b) is of the opinion that the reputation of any person is likely to be prejudicially affected by the inquiry, the Commission shall give to that person a reasonable opportunity of being heard in the inquiry and to produce evidence in his defence.”

2.3 Any other person whose evidence is recorded under section 3 included other witnesses appearing before the Commission and so anyone of them could cross-examine the witnesses other than those examined by himself and be represented by a legal practitioner only with the permission of the Commission. The Central Government did not exercise its right to be represented by a legal practitioner. The inquiry was *in camera*. The possibility of a person examined requesting permission to cross-examine other witnesses and be represented by a legal practitioner implied the presence of the person concerned throughout the proceedings of the Commission and seeking the permission of the court for cross-examining any witness at any stage of the proceedings. To keep such a possibility open would have rendered the proceedings *in camera* futile and it was, therefore, decided by the Commission that no legal practitioner would be allowed to any person examined as a witness. The Commission issued no notice under rule 4 to any person and, therefore, no right accrued in favour of any person to be represented by a legal practitioner. In the result, no counsel appeared for anyone before the Commission.

2.4 Copies of written statements filed by persons in response to the notice issued under rule 2 were not supplied to the other persons filing written statements. It was further decided by the Commission not to recognise any person as a party to the proceedings. There were no parties to the proceedings. The Commission was just to collect evidence and probe into the matter referred to it under the terms of its appointment.

## **CHAPTER III**

### **Scope of Inquiry**

3.1 The Commission decided to connne the examination of the witnesses to clarify the points in the written statements sent by them. Evidence was also taken about the matters, not mentioned in those statements, but considered relevant to the inquiry. The Commission, however, did not record evidence about the details of an incident as very few eye witnesses submitted written statements and as it was not considered necessary for determining the course of the disturbances.

## PART II

### CHAPTER I

#### The Temple of Markandeya

1.1 The Markandeya Temple is situated in the heart of the city of Ahmednagar, which is not a very big city. It is about  $1\frac{1}{2}$  miles across on the east-west direction and about a mile from north to south. The City Police Station is more or less in the middle of the town and just at a short distance to the north of it is the Markandeya Temple and the Gandhi Maidan. The plan (Ex. XIII) indicates the relative position of the temple, Sayyad Sab Pir also known as Hyder Shah Pir, the Rangari Mosque and the Gandhi Maidan. Sayyad Sab Pir is 128 ft. from the western wall of the temple. The Rangari Mosque is 65 ft. from its eastern wall. Gandhi Maidan is to the north and north-east of the temple and to the north of the Gandhi Maidan there is a Municipal School.

1.2 The temple compound, 101 feet in length from west to east, has three doors, two on the north and one on the east. At the north-west corner of the temple compound are the temples of Shri Hanuman and Shri Datta. A door on the north leads to the enclosure in which these two temples are. From the enclosure, one can go to the main Markandeya Temple which is at some distance to the east of these two temples. The second northern door mostly remains closed. The main entrance to the Markandeya Temple is from the eastern door.

1.3 The main temple building consists of two parts—a big hall and an adjoining small room to its west. The deities are installed on a platform in the small room and at a short distance from the platform is a wooden railing. The wooden railing has a wicket-door through which the priest, and any worshipper who desires to do so enters inside the enclosure to garland the deities. This wooden railing is about 7 ft. from the door on the east of this small temple.

1.4 The idols in the temple are of Ganesh, Shankar, Markandeya, Yama and of the parents of Markandeya.

1.5 The residential quarters of Shri Papayya Hanumanta Mutya, the priest, are in the south-east corner of the main temple.

## CHAPTER II

### Disfigurement of the Idols in the Temple

2.1 The idols of Shankar and Markandeya were disfigured by someone on the 18th September, 1967.

2.2 Shankar, son of Mutya says that he went to the temple at about 7-45 p.m. on the evening of the 18th September, 1967 and was told by a woman there that the idols had been disfigured. He then examined the idols and found the damage done to them. The cut noses could be seen after removing the garlands while the damaged toe could be seen openly. He then went to his father and informed him of what he had found.

2.3 According to Mutya, he was asked by his son Shankar at about 7-45 p.m. that evening to see what damage had been done to the idols. He went to the temple, found a few devotees outside the barricade and noticed that the noses of the two idols were broken and the toe of one was broken. The nose and toe of Shankar were damaged and the nose of Markandeya was also damaged.

2.4 Noticing the damage to the two idols, Mutya went to the house of the Secretary of the Temple Committee at a short distance from the temple and not finding him there, returned to the temple. His son Achut went to the house of the Chairman, Temple Committee. The Chairman and the Secretary went to the police station where the Chairman, Vithal Bhimaya Gaddam, lodged the first information report at 9 p.m. stating therein that, according to the information conveyed, the incident had taken place between 7 p.m. and 8 p.m.

2.5 Shri G. G. Khan, Advocate, has stated in his written statement that it was not possible for a man to reach the idols to disfigure or damage them and that it was impossible to think that the idols could be disfigured under the circumstances mentioned by him. His entire statement in this connection is:—

“The said temple is situated in the heart of the city and surrounded by inhabitants who are mostly Hindus. There is a big compound to the temple with a small garden inside and number of persons occupy the benches in the garden in the evenings. The idol is installed at a higher platform surrounded by a wooden compound and it is not possible for a man to reach the idol to disfigure or damage. The said temple belongs to the Padmashali community who are about 15 to 16 thousand in population. Monday, being the important day of the Puja and the Puja took place at 8 p.m. in the temple. The temple was heavily attended. The Pujari of the temple also resides within its vicinity and there is no isolation at all which may provide any opportunity for any culprit to play any mischief

with the idol in the temple. It is impossible to think that the idol will be disfigured under the circumstances mentioned above."

2.6 The Pujari of the Markandeya Temple, Shri Papayya Hanumanta Mutya, deposed that the temple remains closed from 12 noon to 4 p.m. This statement is disputed by Shri Balkundi, Dy. S.P., C.I.D., who investigated the case of damaging the idols of Shankar and Markandeya on the evening of the 18th September, 1967 and which led to the disturbances in the city that night. The inconsistency is not of any importance as it has neither been established by the Police investigator nor alleged before us as to when the disfigurement of the idols took place. It must have been done when the culprit was alone inside the temple; and not in the presence of several persons. But according to the Dy. S. P., this could have been earlier than the time limits indicated by the Pujari.

2.7 The Pujari further deposed that the total number of worshippers every evening is about 200—300, that the larger number comes between 7-30 p.m. and 9 p.m., that each worshipper takes two to three minutes in the temple to worship and that every worshipper garlands the idols through the priest, if he be present, or himself. He stated that there is no particular prohibition for a worshipper to enter the inside barricade.

2.8 The theory that it was impossible to damage the idols on account of the various circumstances mentioned by Shri G. G. Khan stands refuted when the idols were actually damaged. Someone must have done it and must have done it deliberately.

2.9 The damage could not be accidental. Shri V. G. Dhumane, a Senior Sub-Inspector of Police at the Police Station, Ahmednagar, went to the Markandeya Temple after the report was lodged and examined the idols. He described the damage thus:—

"I saw the damage on the idols of the Markandeya temple. The left side nose of each of the idols was broken and the toe of one of the idols was also broken. The distance between the noses of the two idols would be about 1½ ft. To my mind the damage could not have been caused by a *lota* of water or something like that having fallen on the idols. The idols appear to have been deliberately struck with some instrument.

The broken toe had some marble powder near it when I saw the idols."

2.10 Shri V. G. Bhise, Sub-Divisional Police Officer, Ahmednagar, has also stated:—

"The nature of the disfigurement indicates that it had been purposely done. The disfigurement of the idol could not have been accidental due to the falling of a *lota* filled with water. Both the idols are of white marble. The disfigurement seems to have been done by some heavy instrument like a hammer."

2.11 Shri S. G. Pradhan, Deputy Inspector General of Police, expressed the opinion that the damage to the idols could have been done deliberately and that on enquiries from the officers and others, he gathered that the damage to the idols had been done by the Muslims.

2.12 Shri R. M. Zarkar has stated in his written statement in this connection :—

“However, I.G.P. who visited the city immediately, it is said, expressed his opinion, that it might be Hindus even who might have caused damages to the Markandeya idol. It is this false and vicious allegation, which was taken as a thread for the whole investigation by the police officers in charge. And due to this wrong and misleading line, many Hindus had to face police custody and harassment.”

2.13 Shri R. M. Zarkar stated before us :—

“It was reported to me that Mr. Majidulla who was I.G. of Police in September, 1967, came to Ahmednagar on the 19th September and stated that it could be possible that the Markandeya idol was damaged by some Hindu and this suggestion was taken up by some people and among them was Mr. Nimbar (?), Vice President, Maharashtra Congress Committee, who mentioned this possibility in the Ward meeting at Ahmednagar and people protested against this. They stated that how the suggestion could be accepted that the idol of Markandeya had been damaged by a Hindu. The only fatal case in this disturbance of Ahmednagar was of Pahlwan Aheera—a Hindu.

The investigation of murder of Aheera Pahlwan seems to have followed the suggestion about the damaging of the idol of Markandeya by a Hindu and appears to have been conducted in the first instance on the lines that some Hindu had murdered him. Several Hindus were arrested in that connection. It was on the wire being sent by the Hindus to the Government complaining about the course of investigation that the Hindus were released and a month later some Muslims were charge-sheeted by the Police. The investigation of the case was conducted under the guidance of Mr. Lokhande, D.I.G. of Police.”

2.14 Shri M. N. Patil has mentioned in his written statement as follows :—

“This was the stand taken by the Head of the Police Department of Maharashtra from the beginning of the case. The stand of police authorities was helpful in all their further investigation even of Markandeya's idol. For this reason police had arrested two Hindus. Wide publicity of this police stand created misunderstandings in the public. The highest police officer of Maharashtra as well as other investigating officers of police department are responsible for spreading such rumours. So long police authorities have not been able to catch hold of real culprit of Shri Ahir Gavali's murder and



that no charge-sheet has been served to real culprits but two innocent Hindus were put in jail."

2.15 The written statement filed on behalf of the All India Majlis Tameer-e-Millet, Hyderabad, states in para. 7:—

"Even after the riots police did not take impartial attitude. There was one incident of death. Police arrested five persons belonging to the majority community and filed F.I.R. in the court. But after some days they set them free and instead they arrested 9 Muslims.\*\*\*\*\*

Shri Sone Babu Ahir obstructed the rioters when they were dismantling the tomb of Hazrat Jalaluddin Bakhari. The rioters beat him and Shri Ahir succumbed to death."

2.16 A. Rahim and Sardar Khan Pathan have stated in their written statements that the police had framed charges against some Hindus for the disfigurement of the idols and cases were pending against them in court. The police did suspect three Hindus about it but eventually submitted a final report on 10th March 1968. For A. Rahim to have said in his verbal statement before us on the 8th January, 1969, that the case against the three Hindus for damaging the idols was pending in the Sessions Court was obviously wrong.

2.17 Shri Balkundi, Dy. S.P., C.I.D., who investigated the case and submitted the final report, has expressed his opinion about the possible culprit being a Hindu or a Muslim. He has stated :—

"18th September was Monday when there was a rush of usual visitors to the Temple. The chances, therefore, for the disfiguring of the idols was between 1 p.m. and 4 p.m. when there was nobody attending the temple. The possibility of disfiguring the idol was that the disfiguring could have been done by a Hindu. We considered the chances of the Muslim disfiguring the idols to be remote for various considerations— (i) the local Muslim could not have run the risk of being discovered; (ii) the Muslim is likely to damage the idol much more than has been done; (iii) the culprit seems to have acted under mental pressure, i.e., he did it for the sake of mischief. If it has been done by a Hindu it might have been done with a view to blame the members of the non-Hindu community so that that may lead to communal disturbances. If it was done by a non-Hindu, it would have been done to insult the Hindu religion and shrine with the knowledge that communal disturbances were bound to follow."

2.18 The reasons given by him do not appear to be sound in ruling out the possibility of a Muslim disfiguring the idols.

2.19 The possibility of a Muslim entering into the temple cannot be ruled out. Shri Balkundi, Dy. S.P., also states that:—

"It is difficult to make out whether a person in Ahmednagar is a Muslim or a Hindu because their dress, their appearances etc. are practically common. A Muslim used pyja-

ma and a shirt but this dress is being used by Hindus also. Formerly Hindus used dhoti and kurta as their dress."

This goes against a Muslim running the risk of being discovered in the act of damaging the idols. He ran as much risk as a Hindu in the same circumstances ran. Shri Pradhan has also stated :—

"The common dress of the people in Ahmednagar consists of dhoti and kurta and a usual Gandhi cap. People also put on white pyjama and kurta. This dress is worn both by the Hindus and the Muslims."

2.20 Whoever did disfigure the idols, ran the risk of being discovered and would have known that the incident could lead to communal disturbances. It is not very relevant that a Muslim would have damaged the idols much more than a Hindu would. The main motive force behind the culprit, whether Hindu or Muslim, in disfiguring the idols, however slightly, would be either mere mischief or a design to create communal disturbances.

2.21. It appears to have been indiscreet for the I.G., if the reports reaching Zarkar and Patil were correct, to have expressed such an opinion, so soon after the incident. It was liable to affect the investigation by the police officer in charge of the case.

## CHAPTER III

### Report to the Police—Action Taken

3.1 The first information about the disfigurement of the idols at the Markandeya Temple reached the police at about 8.40 p.m. and that too from a private source. One Bhau Rao Tamboli rang up the Police Station and informed the Second Sub-Inspector H. R. Joshi about the disfigurement of the idols. No record of this telephonic message appears to have been made at the Police Station despite the statement of Sub-Inspector Joshi that:—

“The message was entered into the Telephone Register. All messages received on phone are entered in that Register.”

The copy of the telephone messages recorded at the police station in connection with the disturbances, supplied to the Commission, started the entries from 9 p.m. when the formal first information report was lodged by the President of the Temple Committee. In reply to the requisition from the Commission for copies of entries in the Phone Register at the City Police Station between 7 p.m. and 9 p.m. on the 18th September, the District Magistrate, Ahmednagar, reported on the 20th November, 1969:—

“There are no entries in Phone Register during the above period, and hence the nil extract of Phone Register is enclosed.”

3.2 It may be mentioned that the ‘nil’ extract mentions no entries between 7 p.m. and 9 p.m. regarding any communal disturbance. It is presumed that an entry about this message would have been taken by the Police Sub-Inspector who signed the ‘nil’ certificate relating to the communal disturbances under enquiry. It may also be mentioned here that no entries between 7 p.m. and 9 p.m. were made in the Station Diary of the Police Station either.

3.3 The absence of any report, whatsoever, about the incident from an official source is surprising, considering the extra police arrangements which were made in Ahmednagar city on the 18th September, 1967 as a precautionary measure in view of the communal disturbances at Sholapur on the 17th September during the Ganapati procession. The Ganapati procession at Ahmednagar city passed off peacefully on the night of the 17th September. Elaborate arrangements had been made for the occasion.

3.4 On receipt of the news of the Sholapur incident, arrangements were made for the patrolling of the city by six parties of police each consisting of two Constables from 6 a.m. to midnight and a few Constables were posted at fixed points duty at about a dozen places in the city from 8 a.m. on the 18th September till 2 a.m. on the 19th September. The fixed points included Ghodepir, Topkhanna

Chowky, Chowpati Karanja, Bhingarwala Corner, Teli Khunt, Parsha Khunt, Ramachandra Khunt, Panchpeer Chowki, Phulsundar Chowki and Gaikasai Mohalla. The beat of the patrolling parties were mentioned to be Mangal Gate, Ganj Chowki, Bangal Chowki, Maliwada, Navi Peth and Tophkhana. Of these the beat of the Navi Peth patrolling party would be closest to the Markandeya Temple.

3.5 The information of the disfigurement of the idols was conveyed to the Priest Mutya at about 7.45 p.m. It is to be presumed that since then the news must have been spreading in the city and thereby leading to the collection of the people at or near the Markandeya Temple. According to some witnesses, they heard about the disfigurement as early as 6 or 6.30 p.m. We may not take their estimate of time to be exact or accurate. Even taking 7.45 p.m. as the first point of time when the news of the disfigurement of the idols spread, it does not reflect well on the police parties patrolling the area and the constables on fixed duty near about the temple that they failed to notice the spreading of the rumour and the collecting of the people near the temple. It was a private person who conveyed the news about an hour later, i.e., about 8.40 p.m. to the police station.

3.6. Shri S. S. Thakur, the then Superintendent of Police, Ahmednagar, happens to state wrongly in his written statement:

“There were police men on fixed point duty near the temple at Laxmibai Karanja. They reported the matter to the City Police Station.”

There were no constables on fixed point duty at Laxmibai Karanja and the incident was actually reported to the Police Station by a private person.

3.7 Sub-Inspector Joshi has deposed before us:—

“I communicated the message to the P.S.O. Head Constable Chowdhry for entering in the register, and directed him to send messages to the police chowkies. Thereafter I went and communicated the news to Senior Sub-Inspector Dhumane.”

3.8 We have already noted that no entry in any of the telephone registers or in the Station Diary about the message was made. There is no evidence that any message was sent to the various police chowkies. This statement of Sub-Inspector Joshi does not find support from what he himself had stated in the written statement. He stated there:—

“I received this phone and since P.S.O. Dhumane was present in the police station premises, I went up to him and narrated the phone message to him.”

3.9 There is nothing in his written statement about his direction to record the message in the register and to send messages to the police Chowkies. Shri Dhumane himself has stated that all the police Chowkies in the city had telephones but he did not think of informing the chowkies of the fact of disfiguring of the idols at the Markandeya Temple. Had the police chowkies been informed promptly, there might have been an attempt on the part of the staff of the chowkies

to persuade the people not to proceed to the Markandeya Temple but to remain calm at their places. Each police chowki has got ten Constables and a Head Constable. The Markandeya Temple is within the jurisdiction of the police chowki which is located in the area of the police station itself.

3.10 Shri Dhumane also happens to make the following wrong statement in his written statement:—

“As soon as I received the information from II P.S.I. H. R. Joshi that Shri Bhau Rao Tamboli informed him about the disfigurement of the idol in Markandeya temple, I immediately sent as many men as possible.”

3.11 When the news of the disfigurement of the idols was communicated to Sub-Inspector Dhumane, Head Constable Gulab Shivhari stated that he had been to the temple shortly before and that there was no such information then. Such a statement by Head Constable Gulab Shivhari led to the Sub-Inspector to send him to the temple to verify the information received on the telephone. Gulab Shivhari's statement must have been wrong in regard to his estimated period of time lapsing between his visit to the temple and the time of the receipt of the information. It is too much to believe that till about an hour after the disfigurement of the idols had been noticed, things would have been quite normal at the temple. This inquiry for verifying the news again took some time, thus causing delay in making arrangements to deal with the situation. The Markandeya temple is about two furlongs from the police Station.

3.12 The staff at the City Police Station consists of two Sub-Inspectors, 21 Head Constables and 101 Constables. Besides there were 30 men of the Armed Police posted at the police station on the 18th September. They were, however, provided with lathis only. Only 10 or 12 Constables turned up at the ringing of the bell. The rest of the staff posted at the thana is said to have been out mostly on duty.

3.13 This may appear surprising but is easily explained. There are six Police Chowkies in the city and each Chowki has the staff of one Head Constable and ten Constables. Some of this staff was also taken on duties other than the usual Chowki duties. A fair number of Constables would be on regular routine duties and an equal number off duty after the completion of their duty in the earlier shifts. Further, 26 Constables were on duty at the 13 fixed points and 12 Constables were on patrolling duty. Thus, two batches of 38 Constables had been on duty for six hours in two shifts that day and the batch relieved from patrolling duty at 6 p.m. and from fixed point duty at 8 p.m. must have been off duty at that time. The Constables off duty need not be at the police station.

3.14 Shri Dhumane informed Police Inspector (Administration) Shri Jamadar about the incident and requested him to alert the men at the headquarters which is about four furlongs from the police Station. He also informed the various police officers in station.

3.15 On confirmation of the information by Head Constable Shivhari Dhumane asked Police Inspector Jamadar to send additional force to Gandhi Maidan. Shri Jamadar directed Purandare, Police Inspector L.I.B., and Kanoray, P.S.I., L.I.B., to proceed to the Markandeya temple with some constables.

3.16 There are 70 Head Constables and 386 Constables of the Armed Police at the Headquarters. Out of these about 250 Constables are available for any emergency, after allowing those employed on daily routine duties or absentees on leave. He ordered collection of men and was able to despatch one platoon of 30 men to Gandhi Maidan, one platoon with P.S.I. Nimbalkar to Tarakpur, Lal Talkies and Delhi Gate area and some constables with Jamadar Bade to Telikunt area. By 10 p.m. he was able to detail 32 Armed Constables and 179 Armed Police Constables for bandobast in the city.

3.17 The force was sent to Gandhi Maidan from where local officers despatched it to various places, according to Shri Jamadar's statement. The S. P. in his written statement stated that on return to Gandhi Maidan, he despatched Police patrol parties to various parts of the town where trouble was anticipated and had spread. He too, however, left for Tavkal Vastad Talim on learning about people damaging mosques and Muslim property. It is, however, doubtful when, if at all, the S.P. returned to Gandhi Maidan.

3.18 Sub-Inspector Pawar has stated that he returned to Gandhi Maidan at about 10.30 to 10.40 p.m., that he went with the S.P. to Tavkal Vastad Talim and that he returned from there at about 11.45 p.m. He, however, did not state in his written statement about his return to Gandhi Maidan. Therein he states:--

"Due to firing mob was dispersed and we also tried to disperse the mob. It was about 10.30 to 10.45 p.m. Then we went after the S.P. in Anandi Bazar, in striking force vehicle and again came to Anandi Bazar. There at about 11.00 to 11.15 p.m. S. P. received message that crowd is gathering near Tavkal Vastad Talim. The S.P. directed me to come after him in striking force vehicle following S.P.'s jeep."

3.19. The statement implies that the S.P. and he proceeded for Tavkal Vastad Talim from Anandi Bazar. Even if they had first gone to Gandhi Maidan, their stay there would have been very short.

3.20 Further, the entries in the telephone register show that it was at about 12.15 a.m. that information of the pelting of stones at the Tavkal Vastad Mosque was received and again information was received at 12.55 a.m. about people setting fire to Tavkal Vastad Talim and requesting for sending of forces.

3.21 It is, therefore, doubtful how far the S.P. or any other responsible officer at Gandhi Maidan could usefully deploy the police force what for about 100 police Constables from headquarters were used and where.

3.22 Shri Jamadar, Inspector (Administration) phoned to the Camp Police Station to send available police forces to the City Police Station. Shri Gadre, S.I. states to have received the call at 10.05 p.m. and left for City Police Station at 10.40 p.m. with four Head Constables and 15 Constables.

3.23 He also asked for men from Police Station Rahuri, and Shrigonda 22 and 40 miles away respectively.

3.24 He also requested the I.G. Police to send two companies of S.R.P.F., one Dy. S.P., two P.Is. and four P.S.Is. Shri Pradhan, the D.I.G., states that Police Inspector (Administration) requested him to send at least two companies of S.R.P.F. as the police strength in the city was inadequate to deal with the trouble.

3.25 The message was conveyed at about 12.30 a.m. Shri Pradhan has stated in his written statement:—

“Information of the outbreak of the communal disturbances at Ahmednagar was conveyed to me on 19th September 1967 at about 12.30 a.m. by a wireless message from the I.G.P., M.S., Bombay. Immediately after this I also received a telephone from P. I. Admn. Ahmednagar informing me about the communal riot in the city. I also received a wireless message sent by S. P. Ahmednagar in this connection.”

3.26. Shri Jamadar has stated in the written statement:—

“Thereafter, I contacted the S.P. on phone and he informed me about the situation in Nagar City. Then I immediately booked trunk calls to the I.G.P., M.S., Bombay and D.I.G.P., Bombay Range.”

3.27 It appears that the trunk calls to I.G. and D.I.G. of Police booked at about 9 p.m. took three hours to mature. Shri Jamadar should have contacted these officers on wireless which means of communication was available to him and which he availed of for transmitting S.P.'s message about ten minutes after conveying the messages to the aforesaid officers. The S.P. should have directed Inspector (Administration) much earlier, if he could not have acted on his own to contract the I.G. and D.I.G. of Police on wireless for sending additional force in view of the breaking out of disturbances and inadequacy of police. Prompt information to superior officers is essential and the quickest means of communication should be availed of for the purpose.

3.28 The S.R.P. which arrived, according to S.D.P.O. Bhise, with the D.I.G. between 4.30 a.m. and 5 a.m. could then have arrived earlier.

3.29 Out of the people Shri Dhumane could collect at the thana, he deputed Jamadar Bhore and 5-6 policemen to the Markandeya temple. He also deputed probationary P.S.I., Kamat, who was attached to the police station for practical training on traffic duties, and four or five Traffic duty policemen to the temple. Shri Kamat reached the temple at about 9 p.m. and found that a crowd had

already collected near about the temple and were discussing about the breaking of the idols. The crowd was estimated to be about 300 to 400. He directed the police collected in front of the temple to move on the Gandhi Maidan which is to the north and north-east of the temple. According to him, the people were silent and showed no sign of excitement or agitation. All of a sudden the crowd became aggressive and started pelting stones towards the Subhan Shah Durgah which is very close to the temple being about 128 ft. from its western wall.

3.30 Shri Kamat is unable to say what made the crowd throw stones at the Durgah. Noticing the behaviour of the crowd Sub-Inspector Kamat informed Inspector Purandare who had arrived by then. When Inspector Purandare reached there first, he found a crowd of 300 to 400 people to the north of the temple. This crowd was not agitated. He went inside the temple on the request of someone to look up the idols of the temple. Inside the temple he found about 20 or 30 people including three correspondents of the local newspapers. He asked those people to go out. In the meantime at about 9.15 or 9.20 p.m. Sub-Inspector Kamat informed him of the crowd starting throwing stones at the Subhan Shah Durgah.

3.31 Sub-Inspector Kanoray has a slightly different story to narrate. According to him, he reached the temple which is about half a mile from the headquarters at about 8.45 p.m. He found on reaching there a crowd of 1000 persons. The crowd was being addressed by some person who stated that the idols had been damaged by Muslims and, therefore, they should take revenge on them. The crowd then started stoning the Durgah. His estimate of time of reaching the place does not seem to be correct as it was about 8.45 p.m. that the news was conveyed to Police Inspector (Administration). It would take some time for him to call Inspector Purandare and Sub-Inspector Kanoray and for them to proceed to the temple, half a mile away, and reach there. Neither Inspector Purandare nor Sub-Inspector Kamat stated anything about any person addressing the crowd in front of the temple or in the Gandhi Maidan.

3.32 The S.P. puts it well in his written statement thus:--

"The disturbances which took place in September 1967 in Ahmednagar city were sudden and unexpected. They started when news spread out in the city that someone had disfigured the Hindu deities. The people collected near the temple, saw the Muslim Shrines nearby and they took into their minds to cause damage to it and further situation developed from there."

3.33 Whether some person actually addressed the crowd and suggested that the disfigurement was done by some Muslim and that they should take revenge or whether the crowd itself got excited and started pelting stones at the Durgah is immaterial. The fact remains that the crowd which was excited at the disfigurement of the idols must have presumed that the disfigurement was done by some Muslims and thus started to wreak its wrath against the Muslim religious place Subhan Shah Durgah which was so close to the temple at the crowd could have even extended up to it.



3.34 Shri Bhise has stated in his written statement:—

“Near the temple there is a durgah and the persons collected actually collected round about the durgah which was the first target of the mob.”

3.35 This first violent incident took place shortly after 9 p.m. Inspector Purandare and the Police party which at the most consisted of two Sub-Inspectors Kamat and Kanoray and about seven or eight Constables moved towards these people, about 100 in all. Seeing the police party, those people fled away towards the Ghodepir side. Some minor damage was done to the Subhan Shah Durgah. It may be mentioned here that it is also described as Hyder Shah Durgah.

3.36 Shri Gaikawaiari's following statement does not appear to be correct:—

“On getting the information about the damage to the idol at about 7.30 or 7.45 p.m. I phoned the S.P. and went to him at the Markandeya temple. The crowd there would be 500-600. I asked the S.P. to tackle the situation discreetly and let me speak to them. He did not listen to me. He ordered lathi-charge and used his pistol. The S.P. told me not to interfere and I then went home.

The crowd was not raising any slogans. Stone throwing at the Pir was started when I was returning to my house. Stone throwing was not in progress when I spoke to the S.P. and asked him to let me speak to the people to pacify them. I do not remember whether any other local leader was on the spot at the time or not.”

He does not mention anything about his going to Markandeya temple in his written statement. Shri Thakur denies meeting him at the Markandeya temple, and stated in his written statement that when he reached the Gandhi Maidan, people had collected near Laxmibai Karanja and were being dispersed by Police Inspector Purandare. No firing by S.P. lathi-charge took place at Markandeya temple.

3.37 The note in the Telephone Register at 10.10 p.m. indicates that Shri Gaikawaiari enquired about the presence of the Sub-Inspector and implies that he had not contacted any police officer till then.

3.38 Similarly the statement of Shri M. N. Patil that the Pir west of the press which is west of the temple was not attacked till the night does not seem to be correct if the Subhan Shah Durgah is described as the Pir.

## CHAPTER IV

### Course of Disturbances

4.1 It will be helpful to appreciate the development of the disturbances to have an idea about the topography of Ahmednagar city. The city has a number of lanes and sub-lanes. For our purposes the entire city area may be sub-divided into four portions, east to west. One portion is to the north of the Chitale Road which starts from Chowpati Karanja runs eastwards and after the Rama Mandir is known as Civil Hospital Road and again after Telikhunt as Dal Mandi up to Ramachandra Khunt. The different places which may be referred to north of this road (Chitale Road) are the Sidhi Bagh north of Delhi Gate near which is Godhar Shah Durgah. A road leads from Chowpati Karanja to Delhi Gate. Kagad Kuta mosque and Mirawali Durgah are at the corner of the other road going northwards from Chitale Road. Further eastwards is the Topkhana Police Chowki and east of that the Chhaya Talkies. To the east of the lane east of Chhaya Talkies is the Takar Masjid near which are the seven Pirs. Near the Telikhunt and north of the Civil Hospital Road are the Nale Masjid and Urdu School. Mangal Gate Chowki is north of the next crossing to the east of Telikhunt. Further east of Ramachandra Khunt is the Zendi Gate.

4.2 The second portion of the aforesaid four divisions of the city lies between the Chitale Road and another road running from west to east. It is known as Anandi Bazar Road for some distance. Thereafter it is known as the Maidan Road, Central Bank Road, Juna Kapad Bazar and after Parshakhunt crossing Gai Kasai Road. In between these two roads, there are several roads connecting the two. The western-most road is called the Chowpati Karanja Road. The next road to it is known as the Nehru Market Road. In between the two roads is the Faradkhana Masjid which is near the Chowpati Karanja Road. The next road to the east of the Nehru Market Road is known as the Chitale Road also. In between these two roads is a small lane known as Rangar Lane. On the west of this lane and on the Anandi Bazar is the Ghodepir. To the east of this lane and at some distance from Anandi Bazar is the Gauri Ghumat. Another lane running east-west and north of Gauri Ghumat joins the Nehru Market Road and the Chitale Road running north-south. The Laxmi Karanja is at the crossing of the roads, the Chitale Road, Anandi Bazar Road, Maidan Road, Shani Gali running south and a road going eastwards to Subhan Shah Durgah in the Gandhi Maidan. The connecting roads further east of Chitale Road are City Library Road, Navipeth, Nawa Kapad Bazar Road and Mahatma Gandhi Road which join the northern road running east-west at Telikhunt. There are three further connecting roads to the east, the last one is known as the Karashetji Road and meets the northern road at Ramachandra Khunt. Between the other two roads, i.e., Adle Bazar Road and Tapkir Lane is the Ganj Bazar which joins these two roads. The

Ganj Chowki is to the north of this Ganj Bazar and the shop of Abedin and Sons is on the south.

4.3 The Markandeya temple is on the piece of land between the road running eastwards from Laxmi Karanja to Subhan Shah and the Maidan Road.

4.4 The third portion lies between the second main road starting from Anandi Bazar and the Sub Jail Road, Municipal Road, Juna Bazar Road, Burud Gali, Hatimpura. In this portion lie the City Police Station, the Tatti Darwaja Mosque, Khatik Masjid, Tawakul Wastad Talim, Do-Boti Masjid, Jama Mosque, Madhvasha Pir, Parshakhunt, Karimya Restaurant where various incidents took place that night. Here again, there are several connecting lanes and roads between the two roads taken to the boundaries of this portion. We have already mentioned the Shani Gali running south from Laxmi Karanja. From Anandi Bazar there run a few lanes southwards. Two lanes called court lane run east and west of the Judges Court buildings. On the west of the Western Court Gali is the Jama Mosque. Do-Boti mosque is south of the Judges' Court. The eastern Court lane and the Shani Gali are joined by Gujar Gali which continues east-west as Tatti Darwaja Road and the City Line Road. On the southern side of the Khatik Masjid which is south of Gujar Lane, is the Juna Mangalwar Bazar. Khatik Gali is the fourth lane which joins the Gujar Gali, Juna Mangalwar Gali and the Tatti Bazar Road. City Line Road separates the Tatti Darwaja Mosque from the City Police Station.

4.5 The fourth portion of the city lies south of the Sub Jail Road etc. The Sub-Jail is just south of the Jail Road on the west of the city and Garib Shah Durgah is north-west of this Sub-Jail. Syed Baba Durgah is on the open land where the Sub-Jail Road, Juna Mangalwar Bazar and the road running south from Do-Boti-Chira and the Municipal Road join. At the crossing of the Juna Bazar Road and the Municipality Road is the Panch Pir Police Chowki. The road running south from this crossing is known as the Mahatma Phule Road and the crossing is known as the Ful Soundar Chowk. On this Mahatma Phule Road is situated the Sayed Baba Durgah and the Habib Bakery. Further south the Mahatma Phule Road is the Maliwada Ves and there are situated the Tamboli mosque, a Dry Fish Bakery and a betel shop. On the Juna Bazar Road running eastwards of the Panch Pir Chowk is situated the Madhvasha Pir. South of the Burud lane further eastwards is the Taj Cycle Mart.

4.6 A copy of the site plan is enclosed as Annexure VI to this report to give a clear idea of the location.

4.7 The disturbances covered mostly the entire area of the city from Sidhi Bagh in the north to Maliwada Ves in the south and from the west of Remand House to Kasai Mosque on the east, and continued till about 3 a.m. on the 19th September.

4.8 A number of Mosques, Durgahs and Pirs were damaged or burnt. A few shops and houses were also burnt or looted.

4.9 List, Exhibit XI, showing incidents of arson, looting and damages caused to mosques, durgahs and shops etc. mentions 20 mosques, Pirs and Durgahs, eight shops, one Talkies and one house. Twentynine applications for compensation for damages to Mosques, Pirs and Durgahs and 21 applications by individuals for compensation for personal damages were presented to the Collector. These 21 applications included three from Hindus, one of whom was the widow of Ahire deceased.

4.10 The District Magistrate has stated in his written statement that there are 38 Mosques and 49 Pirs and Durgahs in the city of Ahmednagar and has further stated:—

“Muslim religious places were the main target of attack. 8 mosques and pirs were set on fire. While 12 mosques and pirs were desecrated, there were cases of looting as well. 8 shops/restaurants were looted or partially damaged. One Hindu person was also stabbed to death. This was the solitary case of deliberate personal violence.”

4.11 Dy. S. P., Bhise has stated in his written statement that damages to 30 mosques and durgahs had been caused and that 2 houses and 11 shops were attacked.

4.12 Substantial damage was caused to only a few shrines.

4.13 We have not got evidence about all the incidents. The available evidence does not even indicate how the incidents started and developed. Police forces mostly reached after the attack had started. Very little of non-official evidence of actual incidents has been offered.

4.14 Twentynine non-officials submitted written statements. Out of them ten Hindus, seven Mohammedans and one Christian were summoned. Seven Hindus and three Mohammedans and one Christian appeared and were examined. Only one Mohammedan Abdul Gani is an eye-witness of the attack on the Jama Masjid. Two Hindus deposed as eye witnesses of part of the other incidents. They are Dasare and M. N. Patil.

4.15 All the 15 officials who submitted written statements were summoned and examined. In addition, two more were examined. They are Dy. S. P., Balkundi of the C.I.D., who was put in charge of investigation of some incidents and Shri Godhade, Fire Officer, Ahmednagar Municipality.

4.16 Witnesses are liable to err in their estimate of time for certain incidents and action taken by them. We got a copy of the entries in the Telephone Register from 9 p.m. on the 18th September when the report about the Markandeya Temple incident was lodged, to 2 p.m. on the 20th September. The times noted there seem to be approximate and in some cases a little later, but still the entries give a fair idea of the sequence of events that night. We shall describe the course of disturbances from the entries in the Telephone Register—Copy enclosed as Annexure VII.

4.17 It records at 9.45 p.m. the receipt of an information from Constable Hinge that mob had collected near Markandeya Temple and at 9.50 p.m. that pelting of stones near the temple had started. We have shown in Chapter III that the mob at the Markandeya Temple had collected from before 9 p.m., started attacking Subhan Shah Durgah at about 9-15 p.m. and had been dispersed from Laxmi Karanja shortly after 9-30 p.m. There is no record of attack at Khodepir, probably as the police forces reached the spot immediately after the trouble started. We now deal with the trouble there first.

4.18 Dispersing the mob at the Subhan Shah Durgah the police party led by Inspector Purandare reached Laxmi Karanja close-by. The people who were fleeing proceeded towards Ghodepir farther west of Laxmi Karanja. The rest of the crowd at Gandhi Maidan followed the police party. Inspector Purandare asked Shri Chandekar, Correspondent of Sakal, to inform P. I. (Administration) to send police aid to him. In 10 or 15 minutes further police arrived with the Superintendent of Police and the District Magistrate. Before their arrival, however, Dy. S. P., Bhise, Sub-Inspector Dhumane and Sub-Inspector P. N. Joshi with some police constables who started from the City Police Station at 9.10 p.m. happened to arrive there. This police party first encountered a mob near the Rangari Mosque on its way from the police station to the Markandeya Temple. On seeing the police party, the mob disappeared in the adjoining lanes. According to Sub-Inspector P. N. Joshi some policemen were left at the Rangari Mosque with directions to see that people did not collect there. At Laxmi Karanja, Inspector Purandare told Shri Bhise and Shri Dhumane that the people who had dispersed had gone towards the Court Gali which is further west of Ghodepir. These officers then proceeded towards the Court Gali. They met on the way Head Constable Dhavale coming injured from Ghodepir side. He told them that he got injured while intervening, when people began pelting stones at Ghodepir where he was on fixed point duty. He was directed to go to the hospital. The mob at Ghodepir, seeing the police party, dispersed and ran in different directions.

4.19 Sub-Inspector Dhumane went round the Eastern Court Gali, Gujar Gali, Shani Gali, Chitale Road up to the Topkhana Chowk and found nothing particular. He then returned to Laxmi Karanja. By this time the situation had worsened, as according to Dhumane the behaviour of the mob indicated apprehension of danger to peace and tranquillity. He and his party then got down from the police van.

4.20 Shri Bhise noticing a group of persons fleeing from Ghodepir towards Topkhana side where the Kagad-Kuta Mosque and Mirwali Durgah are situated and where communal tension had been created in 1966 on the occasion of Shri Ganapati immersion, apprehended trouble and, therefore, proceeded to Topkhana Chowk. He noticed that a group of persons were pelting stones at the Mirwali Durgah. Police Inspector Purandare also arrived there. The mob was dispersed. The people, however, took their stands in front of their houses. The locality is mainly inhabited by the members of the Padam-salis' community whose temple the Markandeya temple

is. He kept a picket there and patrolled in the locality. He returned to Laxmi Karanja and found that the District Magistrate and the Superintendent of Police were there and saw flames of fire at Ghodepir.

4.21 The main incident which took place at Ghodepir subsequent to the action of the earlier mob pelting stones at Ghodepir and which had dispersed on the arrival of the police party under Dhumane can best be described in the way in which it is deposed to by the Superintendent of Police, Shri Thakur. The version is supported by the other persons witnessing that incident. The Superintendent of Police, the District Magistrate and Sub-Inspector Pawar reached Laxmi Karanja at about 9.30 p.m. with a police force consisting of 1-4 Rifle Squad, 1-4 Gas Squad and 15 Lathi Constables collected at the Police Headquarters, and helped in dispersing the crowd near that place which was being dispersed by Police Inspector Purandare. The S. P.'s version is as follows:—

“The other group went towards Ghodepir side. Soon some people assembled near the Ghodepir Durgah and started pelting stones. They also set fire to the Ghodepir Durgah. A fire brigade was called in to extinguish the fire. However, the people collected there did not allow the fire brigade to move forward and it had to return. I, therefore, directed police Sub-Inspector Joshi and a party of policemen to accompany the fire brigade and to extinguish the fire. I myself and the District Magistrate also followed them. But the rate of stone throwing increased. Some one also broke street lights. The flames of the fire were now clearly seen and there was every likelihood of the fire spreading to nearby residential houses causing loss of public property and human life. The District Magistrate, therefore, promulgated orders under section 144 Cr. P. C. about that time. They were announced on a loudspeaker fitted to a police vehicle. In spite of this, the crowd did not leave the place. I along with a small party of rifle party and a gas squad therefore started going to Ghodepir Durgah but the people who had also collected in the nearby lanes and by-lanes started pelting stones and brickbats at us very heavily with the result that some of my policemen got wounded. I myself got injured. In order, therefore, to disperse the riotous mob, I ordered lathi charge but it had no effect on the crowd. I used Tear Gas shells but this too had no effect on the crowd and it seems for a moment that the crowd was not in a mood to leave the place. At this juncture the people in the crowd actually surrounded myself and the police party. I, therefore, fired two rounds from my service revolver at the mob. I understand the two persons received bullet injuries due to this firing but this had the desired effect. The people ran from that place.”

4.22 Such a persistent attitude of the mob at Ghodepir seems to have been on account of its past history. Ghodepir is situated on the Anandi Bazar Road which is about 25 ft. wide and is about 5 ft. from

the houses north of it. Ghodepir had been pulled down in 1966 by a mob subsequent to some trouble before Kagad-Kuta Mosque during Ganapati procession a furlong away. The permanent structure of the Pir is pucca. The damaged portion was being reconstructed in 1967. Shri Gaikawari has stated in his written statement:—

“During the election campaign for 1967 the Pir was attempted to be reconstructed in the month of October 1966, and instead of old mud and brick structure, a new cement concrete structure with more height than the original one was attempted to be constructed; this was without municipal permission, and is prohibited under Municipal town planning act. This led to a great criticism against the municipal authorities and the Municipality has served a notice No. 122 under town planning scheme dated 4-10-66 for demolishing the structure as it was unauthorised construction. The notice was not given effect to and the structure was not pulled down by the Municipality.

A representative suit No. 305/1966 is pending, and wherein the grievance is that the construction is highly objectionable being an obstruction to the traffic and likely to cause accident; owing to this construction, the road is narrowed and has caused obstruction to the ventilation and light of the nearby house.”

4.23 He has stated before us:—

“A person living in the neighbourhood of Ghodepir has filed a suit for an injunction against the Municipality and the Muslims prohibiting the Municipality to give permission for its reconstruction by the Muslims and prohibiting the Muslims from reconstructing it as it contravenes the provisions of the Town Planning Act.”

4.24 Dr. S. N. Ranade has stated in his written statement:—

“As this monument comes within the new street-lines according to the revised Master Plan, a permission to do any masonry work was rejected by the Municipal authorities. Surprisingly enough, later on this permission was granted. The local Muslims were apathetic but funds and artisans were made available. There is a strong feeling in Ahmednagar that a certain political worker to gain popularity with the Muslims brought influence over the Municipal authorities as well as provided funds and masons and instigated some influence to reconstruct the monument. This caused a great resentment in the people.”

4.25 The work had to be stopped under the orders of the Court. Some wooden scaffoldings were in existence on the 18th September, 1967 and they were burnt. Two pillars recently rebuilt had been broken. During reconstruction it was alleged that the size of the Pir had been enlarged. There are a number of Pirs and Durgahs on the public roads in Ahmednagar and they create difficulties. Moves have been started to get such inconvenient Pirs and Durgahs removed but

failed. Their existence on the roads has led to some bitterness between the two communities though it is in evidence that some of the Pirs have been built by Hindus and that some Hindus even joined the opposition to the removal of these Pirs and Durgahs. The reconstruction of the Ghodepir seems to have led to strong opposition. It led to the institution of a suit. It is due to such emotional feelings about the existence of certain Pirs and Durgahs in Ahmednagar and specially about the existence of Ghodepir that such a persistent attitude of opposition to the public authorities was taken by the mob.

4.26 The wooden scaffolding at Ghodepir was set on fire before 9.40 p.m. when the D.M. issued an order under section 144 Cr.P.C. The firing at Ghodepir took place at 10.15 p.m. according to Shri Dhumane.

4.27 When the mob dispersed due to firing at Ghodepir it dispersed in the various lanes nearabout. Part of the mob went towards the Gauri Ghumat side.

4.28 The Telephone Register records at 10.10 p.m. that a constable informed about the collection of people near Gauri Ghumat and Constable Hinge informed of the pelting of stones at Gauri Ghumat.

4.29 At 10.50 p.m. it was reported on phone that Gauri Ghumat had caught fire. The time of this information also indicates that the Superintendent of Police must have resorted firing at Gauri Ghumat at about 11 p.m.

4.30 Sub-Inspectors Dhumane and Joshi followed the persons going towards Gauri Ghumat by the Rangar Lane on the west of Gauri Ghumat. They found that the Pir and the Durgah had already been damaged by the mob and that the mob was proceeding towards Gauri Ghumat. It had placed boulders across the road forcing the police people to proceed only on foot. The mob according to Sub-Inspector Joshi was dispersed by using tear-gas shells and was chased up to the Shani Gali via Ghodepir. The S.P. also moved towards Gauri Ghumat side and his brief version of the incident in his written statement is as follows:—

“But some people went to Gauri Ghumat side and some to Nalegaon side. The things did not stop here. The people who had collected near the Gauri Ghumat side again started playing mischief. They started demolishing the Ghumat. Some one also poured kerosene oil on the belongings and on the person of one Haji Malang, a Muslim Fakir and tried to set fire to them. I, therefore, again opened fire at this place. However, in this locality I fired 4 rounds in the air with a view to disperse the mob. The crowd did disperse. I then moved in the Anandi Bazar locality and after maintaining law and order there, I returned to Gandhi Maidan.”

4.31 Sayyad Hajratgula described by the S.P., as Haji Malang was summoned but did not appear before us. He has described the attack on Gauri Ghumat and himself thus in his written statement:—

“Before this I was living, as stated above, in Gauri Ghumat, Anandibazar Durgah and was attending to the religious



ceremonies there. On 18-9-67 at about 9 p.m. some people were shouting in front of Durgah and started to throw stones on the doors of Durgah. This situation remained for some time and after a while the main door of the Durgah was broken and Hindu people entered in the Durgah. They put fire on the properties in the Durgah. Some beat me and even put fire on the clothes which I actually wore at that time. I put off the clothes, still my hands and legs were burnt. I requested them that I am very poor fakir and there is nobody to look after me. But nothing made them to think. They took hold of my tin box, broke it and looted the cash amount of Rs. 300/-, clothes of Rs. 250/- and rings of Rs. 500/-. The fire was in force. The people caught hold of me and pulled me on the road. I got injured. When they pulled me on main road I was released and I ran to take shelter under policemen but they too denied to give me shelter. I myself went in Civil Hospital. I was taking treatment in Government Hospital for twenty days. The Hindu people came to beat me were having kudali, axes, kerosene, knives. The crowd was of near about 150 people."

4.32 His injury report shows that he had several blisters and two contused lacerated wounds.

4.33 While these officers were busy dealing with the situation at Ghodepir and Gauri Ghumat approximately between 9.15 p.m. and 11 p.m. there had been attacks by the mob at various Muslim shrines in the city. A group of people on dispersal after 9.30 p.m. from Laxmi Karanja moved towards the Topkhana side. Apprehending danger to Mirawali Durgah near the Topkhana the S.P. directed Inspector Purandare to proceed to Topkhana and keep order there. According to Purandare, S.P. too followed the crowd towards Topkhana.

4.34 The Topkhana Chowk has got Mirawali Durgah on its west and Chhaya Talkies, Takari Mosque and Sat Pirs to its east.

4.35 At 10.15 a message was received of pelting of stones at Topkhana Gate with a request for sending help to Topkhana Gate.

4.36 At 10.25 a force of 1-10 was sent to Topkhana Gate.

4.37 At 10.50 information was received that Takari Mosque at Topkhana had caught fire. It appears that the time of receiving this message by the fire brigade about fire at Takari Mosque at 9.50 p.m. was wrong. In fact, Shri Godhade, Fire Officer, Ahmednagar, has stated that the timings were noted by him on the 19th September from memory.

4.38 At 11.30 p.m. the Manager of Chhaya Talkies reported that fire had taken place at the back side of the theatre. It may be mentioned that Sub-Inspector Nimbalkar went to the Chhaya Talkies probably earlier that night and found none there and that no damage has been done.

4.39 At 11.45 p.m. Constable Hinge informed about the damage being caused to Chhaya Talkies.

4.40 At 11.50 p.m. information about the Takari Mosque being on fire was received. First information about Takari mosque catching fire was received at 10.50 p.m. It appears from the second and later information that the fire brigade had not reached there by this time, or the Takari mosque was set on fire a second time, of which there is no mention in the fire brigade register. According to Shri Godhade the fire brigade was at Takari mosque after 10 p.m. and the damage done was to the wooden portion of the ceiling and the doors. The damage caused to the mosque and the seven Pirs is estimated to cost about Rs. 7,000. It may be noted here that though the Home Inspector directed on phone at 11.50 to send help at Chhaya Talkies close to Takari mosque, the Telephone Register has no note of any action being taken.

4.41 At 2.05 a.m. a message was received from Constable Gaikwad for sending forces in a vehicle to Topkhana and also of a big fire in Do-Boti-Chira.

4.42 At 2.52 a.m. information was given by Shri Borade at Topkhana Chowki that people were breaking shops there.

4.43 Inspector Purandare remained on duty in that area till about 3 a.m. and dealt with the mobs at Faradkhana Mosque, Juma Mosque, Takari Mosque and Chhaya Talkies where incidents of setting fire and of causing damage took place. It appears that the police usually arrived after the mob had done some damage to the various properties as the police reached the various places after receiving information of the places being attacked. This is clear from the various statements. The statement of Inspector Purandare in this connection is:—

“When we reached the Durgah the people from the west of it were throwing stones at it. We dispersed the crowd. The S.P. then asked me to remain at the Durgah to protect it. Thereafter the crowd from the lanes tried to attack the Durgah but we succeeded in keeping them back. About half an hour later I learnt that some mob had gone to Faradkhan mosque. I went with some police force there and dispersed that mob. There I learnt that some people had attacked the Chhaya Talkies. From there I came back to Chhaya Talkies. The crowd had by then started breaking the gate of the compound of Chhaya Talkies. I dispersed that crowd.

From there I went to Topkhana Chowk and I tried to contact the P.I. Administration Jamadar but could not contact him for help. I then returned to Chhaya Talkies. During this interval a mob at the Chhaya Talkies had damaged the Takari Mosque. Seeing the police party with me the mob had also left that place. It would be roundabout 11 o'clock.

We then went to the by-lanes clearing them of the people collected there. The Takari mosque was on fire. So I sent a message to Topkhana Chowk to send us fire brigade to put it out. The fire brigade reached there after 15 or 20 minutes. It succeeded in extinguishing the fire. At the Topkhana Chowk I learned of the further attack at the Faradkhan mosque and I went there on learning that the mob had set it also on fire. The mob fled away on seeing us. The mob had collected towards Nalegaon side and I tried to disperse them.

From the Laxmi Karanja I proceeded to Juma mosque on learning that it had been set on fire. Time would be now about 12 or 12.15. I found the mosque on fire and the mob standing in the Tanga Gali at some distance. The mob it appeared was not very large at the time but was shouting. The S.P. and D.M. arrived there and the S.P. directed me to go to Topkhana. I went to Topkhana Chowk. After about 10 or 15 minutes the Military took charge. A military picket was posted at Topkhana Chowk."

4.44 At 10.20 p.m. instructions were received from Home Inspector to send policemen to Zendi Gate and a force of 2-6 **Zendi Gate** was sent there. It appears that the door of the Pir in the Durgah at Zendi Gate had been burnt before their arrival. The damage was estimated at Rs. 10/-.

4.45 A report of damage caused to Municipal light at **Telikhunt** was received at 10.25 p.m. At the same time information was also received of people pelting stones at the mosque at Telikhunt. At 10.45 p.m. Constable Sudhir Shankar requested forces to be sent to Telikhunt.

4.46 At 11.15 p.m. one Baburao Chobdar informed that stone pelting was continuing at Telikhunt and asked for force to be sent there. Here again, it may be noted that the first information about trouble at Telikhunt was received at 10.25 p.m. and yet no police force could reach there till 11.15 p.m.

4.47 The minor damage, estimated to cost Rs. 5/- was done to the door and walls of the Durgah in the Natyachi mosque at Telikhunt.

4.48 At 10.25 p.m. information was received of some trouble **Sidhi Bagh** at Sidhi Bagh and a force of 2-7 was sent. It appears from the statement of Shri Nimbalkar, Sub-Inspector that the trouble had taken place much earlier, at about 9.30 p.m. Shri Nimbalkar under orders of Home Inspector, and with a force of 30 police constables left the Headquarters at about 9.10 p.m. and would have reached the place by 9.30 p.m. According to Shri Nimbalkar when he reached near the mosque in Sidhi Bagh, he noticed 30 or 50 people collected in the Chowk which is 600-700 yards from Delhi Gate and about 10 yards from the Sidhi Bagh Mosque known as Ghodhadshah Mosque. These people seeing the police lorry fled away leaving the articles from the mosque on the road. These

articles consisted of books and carpets. They were returned to the mosque. Besides removal of this property from the mosque, two minarets of the mosque had been pulled down. He posted four constables at the Chowk and one Head Constable and three constables at the Delhi Gate to see that the people did not go near the mosque again. It seems that the mob returned after Shri Nimbalkar had left and it was on the second arrival of the mob that information was given to the police station at 10.25 p.m. The report mentioned the presence of Head Constable Gaikwad there. No Police force appears to have been further sent to Sidhi Bagh at 10.25 p.m. S.I., P. N. Joshi has stated in his written statement that when at Chhaya Talkies they learnt that the mob had gone to Sidhi Bagh from there he and Dhumane went there and found the Ghodhadshah Pir damaged. The mob dispersed on seeing the Police. They left some Policemen there. The time would be 12.30 or 12.45 a.m., i.e., about 2 hours after the report at the police station during which period the mob must have remained on the spot. The damage to the mosque is estimated to cost Rs. 2,000/-

4.49 At 10.30 p.m. information was received of damage being caused to Sonehri mosque. There is no evidence about its location or the incident there.

4.50 A request was also received from a pleader to depute police force to Faradkhana mosque. The mosque seems to be described by some witnesses as Faradkhana mosque on the Choupati Karanja Road. Information about pelting of stones at this mosque was received at 10.45 p.m. S.I., Nimbalkar patrolled the area from Choupati Karanja up to the bottom of Choupati Karanja Road—that is, up to its junction with Anandi Bazar Road. When he reached Faradkhana mosque, he found that some wood was burning on the road. According to his statement they did not try to extinguish the fire but just tried to check people from burning other things.

4.51 S.I., P. N. Joshi states to have gone with S.I., Dhumane to Faradkhana mosque after chasing the mob from Gauri Ghumat to Shani Gali and to have dispersed the mob, which was found attacking and burning the Faradkhana mosque, by using teargas.

4.52 Inspector Purandare also reached Faradkhana mosque after it had been set on fire. The mob then fled away on seeing the police party. He went there after the fire had taken place at Takari mosque.

4.53 Damage caused to Faradkhana mosque is estimated at Rs. 2,000/-.

4.54 At 10.45 p.m. information was received also of pelting of stones at Madhvasa Pir in Juna Bazar Road. Three constables were sent there. At the same time three men were sent to Panch Pir Police Chowki which is at the junction of the Juna Bazar Road, Mahatma Phule Road, Municipality Road and the City Line Road, running between Tatti Darwaja Mosque and the Police Station.

4.55 Before dealing with the incidents in the Madhvasha Pir area, it may be mentioned that telephonic information up to 10-45 p.m. was in respect to the incidents which took place north of the Chitale Road beside the incidents at Ghodepir, Gauri Ghumat and Faradkhana Mosque which are close to one another and are in the second area south of this road. The news about the trouble at Madhvasha Pir was the first information of trouble in the third area south of Anandi Bazar Road. Some other incidents, of which there was no telephonic information at the police station, had also taken place before 10-45 p.m.

4.56 Circle Police Inspector I. I. Sheikh reached the police station at 9-30 p.m. that night and was getting facts from Tatti Darwaja Sub-Inspector H. R. Joshi when at about 9-45 p.m. he heard noise about a mob collecting in the lane near Tatti Darwaja Mosque and pelting stones. These two officers then rushed to the spot with five police constables. The mob was dispersed. One of the police constables got hurt and was sent to the hospital. The Muslims became panicky and started shouting slogans. Inspector Sheikh got them inside the mosque and kept a watch there. He remained there till about 3 a.m. During this period Inspector Sheikh, on getting information at about 11-30 p.m. about collection of a mob in Kasai Lane went there, scared away the mob and returned to Tatti Darwaja.

4.57 Sub-Inspector Gadre of Camp Police Station also came to Tatti Darwaja at about 10-45 p.m. On receiving instructions from Inspector Jamadar at 10-5 p.m. to proceed to the City Police Station, Sub-Inspector Gadre did so with four Head Constables and 15 constables. On the way he noticed Inspector Sheikh, Sub-Inspector Joshi and four constables dealing with a crowd near Tatti Darwaja. He stayed on at Tatti Darwaja the whole night.

4.58 Sub-Inspector H. R. Joshi has stated in his statement:—

“People were collecting near the mosque again and again and we were dispersing them and asking them to go to their houses. At this spot, particularly Muslim persons were collecting. Some people had also collected in the mosque and they were trying to come out of the mosque. There was a danger of head on collision between the Muslim community and the Hindus if these persons were allowed to come out of the mosque. We remained busy in bandobast at this spot and we did not allow the Muslim people inside the mosque to come out.”

4.59 This indicates that both Hindus and Muslims were trying to confront each other at this place and that the police succeeded in avoiding the clash by getting the Muslims to remain inside the mosque.

4.60 Sub-Inspector Joshi remained at this mosque till 6 a.m.  
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4.61 Though the first telephonic information about the trouble at Tavakal Vastad Talim reached the police station at the statement of Inspector Sheikh that the mob had 12-15 a.m. on the 19th September, we have it in started collecting near Vastad Talim when the Muslims at Tatti Darwaja had become panicky and started shouting slogans. This Vastad Talim is north of the Gujar Gali and west of the Shani Gali. To the south of Gujar Gali is Khatik mosque. To the east of Khatik mosque is open space described as square by S.I. Pawar and to the east of this square is the cycle shop and fuel depot of Inamdar. At some distance from the square is the Tatti Darwaja Mosque. Inspector Sheikh, however, stated that he learnt on return from his trip to Kasai Lane that S.P., Nagar had proceeded there.

4.62 Sub-Inspector Gadre has stated in his written statement that after some time, i.e., about 11-30 p.m., the S.P. with his party went to Shani Lane and Tavakal Vastad Talim where tension had arisen, that he heard some shots being fired from those places and that some time after 12-30 a.m. the S.P. with military vehicles went there and restored peace. The S.P., however, does not state to have gone there twice.

4.63 S.I., H. R. Joshi stated that he received information at Tatti Darwaja after midnight that there was some trouble at Vastad Talim and that he saw the S.P. proceeding there.

4.64 According to Telephone Register, a report was received at 12-55 a.m. that people were setting fire near Tavakal Vastad Talim and that force be sent. Shri Thaqur, S.P., has stated the following in his written statement about his visit to Tavakal Vastad Talim and the action taken:—

“At about this time, I got information that the crowd had collected near Tavakal Vastad Talim and they had started causing damage to mosques and the property belonging to the Muslims. I went there with Police Sub-Inspector Pawar and a Police Party and dispersed the mob. While doing so I had to break Tear Gas shells and also to take resort to lathi charge and firing in the air with the revolver, I was carrying. Here I fired 5 rounds in the air to scare away the riotous mob. Here the mob had set fire to a mosque, a cycle shop and a fuel depot which had endangered public safety for there was likelihood of the fire spreading to the nearby houses. I first removed the inmates of the neighbouring houses to safer places and then arranged to extinguish the fire. After keeping proper bandobast at this place, I then returned to Gandhi Maidan.”

4.65 The mosque mentioned in the S.P.'s statement is the Khatik mosque. The Minars on the door, doors, wall and other furniture kept in the mosque were destroyed. The compensation claimed was Rs. 5,000 and recommended by the Tahsildar was Rs. 4300. However, List Exhibit XI, given by the S.P., puts it at Rs. 200.

4.66 The cycle shop and the fuel depot mentioned belonged to Inamdar. The loss is estimated to have been above Rs. 2500.

4.67 According to the written statement of Sub-Inspector Pawar, a message was received by S.P. at Anandi Bazar between 11 and 11-15 p.m. about the gathering of a crowd near Tavakal Vastad Talim and the S.P. then directed him to follow his jeep in a striking force vehicle. He described the situation there and the action taken thus:—

“In the square a huge crowd was gathered and some were trying to set fire to the door of the mosque. When we got down from vehicle stones were hurled on us. Therefore S.P. ordered to lathi charge and fire tear gas shells. As per orders crowd was not dispersing. Therefore the S.P. fired two rounds from revolver. Then mob went in Shani Lane, from here they again started pelting stones. Therefore S.P. fired one round at that side, the sound of which was heard, and we were instructed to vacate the houses nearby house which was set on fire. Accordingly we had vacated the houses and the fire brigade men extinguished the fire. At the same time stone throwing was started from Juna Bazar side. Therefore the S.P. fired two rounds from his revolver, I heard the firing. Then crowd started dispersing. We also tried to disperse the mob.”

4.68 According to the entry in the Fire Brigade Register, the fire engine got information about the fire at Tavakal Vastad Talim at 12-45 a.m. and reached there at 12-55 a.m. In this instance the timing seems to fit in approximately with the timing of the telephonic message at 12-55 a.m. already quoted and which indicates that no police force had reached the spot by then.

4.69 Another incident not reported to the City Police Station took place at the Juma Mosque. Juma Mosque is situated to the west of the Western Court Lane. To its south is the Tanga Lane. The actual attack on the mosque took place between 11.30 p.m. and 12 o'clock but the people had been collecting there from about 10 p.m. The official evidence about this incident is very meagre. Inspector Purandare and Sub-Inspector Kamath and Nimbalkar just mentioned in their written statements about taking necessary action at various places including Juma Mosque. According to his statement before us, Inspector Purandare proceeded to Juma Mosque at about 12 o'clock or 12-15 a.m. on learning that it had been set on fire. He found the mosque on fire and the mob, not very large, standing in the Tanga Lane. It was shouting. According to him the S.P. directed him to go to Topkhana. The S.P. and the D.M., however, made no mention of their visit to Juma Mosque in their written statements.

4.70 Sheikh Abdul Gani, Secretary of the Orphanage Poor House, situated within the compound of the Juma Mosque, describes the entire incident. There are 40 orphans in the Orphanage. Sheikh Abdul Gani states that no police arrived there till about 3-30 a.m. though a police vehicle passed through the Court Lane some time earlier and was also stoned by the people. We would like to quote the entire relevant statement of Sheikh Abdul Gani as it leads to some useful deduction:—

"It was some time after 9-30 p.m. on the 18th September, 1967 that Anna came to me and said that riots had broken out in the city and that I should take the boys inside the orphanage.

The boys in the orphanage are mostly under 12 years of age and the oldest boy is between 12 to 15.

Just after 10 p.m. there were about 15 people; they were talking amongst themselves Dr. Paulbudhe came out and pacified them and directed them not to do any mischief to the boys. But the gathering continued to swell and rose to about 1000. Some people took Dr. Paulbudhe from there. Thereafter the crowd in the lane attacked the main gates of the compound and began to burn one of the gates. Some of them threw stones at the orphanage. The boys were kept in two adjacent halls. Some of the crowd asked me to open the door and I advised the boys to do so. 10 or 12 people entered and asked us to put on a strong light. When the light was put on they saw the children and some of them said that these children should not be harassed but people outside the hall were shouting for revenge. However, these 10 or 12 people did not listen and advised me to keep the boys inside the orphanage and asked me to close the door. By this time it was 11-30 p.m. or 12 in the night. The crowd then turned towards the mosque.

The rioters had instruments to break the doors; they also carried kerosene oil in buckets and old cloth. The entire crowd went towards the mosque.

No compensation for the loss mentioned in statement has been received so far.

The looting continued till about 3 a.m. No police or officer arrived at the Masjid compound or the Court Gali till about 3 a.m. A police vehicle passed along the Court Gali; it was also stoned by the mob. It was about 3-30 a.m. that a fire engine came and some military and some police came. On hearing the sound of the gun shot from the Anandi Bazar prior to the arrival of the military and the police the crowd fled. Some of them were taken by the police. After the dispersal of the mob, 3 lathi constables remained on duty at Court Gali near the back door of the country."

4.71 The statement indicates that only a few people, about 15 in number, were first attracted to the Orphanage. They were pacified by Dr. Paulbudhe who directed them not to commit any mischief to the boys.

4.72 The small groups kept on swelling in number till about midnight in the absence of any police arriving at the spot and taking action against them. Not only that the mob got swollen but preparations were also made for setting fire to the mosque and property therein. One thing, however, was gratifying and that is that the leaders of the mob felt compassionate and did not allow the mob



to harm the orphans in the orphanage. Some of them even advised Abdul Gani to keep the door closed—the door which had been got opened by the mob earlier.

4.73 It may be mentioned here that the various mobs did not have any design to injure the Mohamedans physically. The only known cases of personal violence so far are of an old faqir being beaten at Gauri Ghumat and of an attempt being made to burn him. The other incident of personal violence took place in Maliwada area where Ahire was stabbed as a result of which he subsequently died. He is said to have been attacked by the Muslim group operating in that area.

4.74 Now we may turn to the incidents which took place in Madhvasha Pir and Maliwada area. We have already mentioned that information about the pelting of stones at Madhvasha Pir was conveyed to the police station on telephone at 10-45 p.m. and three constables were then sent and another batch of three constables was also sent to Panchpir Police Chowki. In the area under discussion we deal with incidents in Maliwada which extends to south of the crossing near Panchpir Police Chowki, the incidents in Juna Bazar in which Madhvasha Pir is situated, and Burud Gali and Hatampara which are the names which the Juna Bazar Road takes later. The sequence of events as reported on telephone is as follows.

**Maliwada Ves**  
**Madhvasha Pir**

4.75 At 10-50 p.m. Babu Maruti, one of the police pickets, at Maliwada Ves rang up that the Pir at Fulsoundar Chowk was damaged. At 11-15 p.m. constable More asked for help as people had entered the mosque at Maliwada which is further south of the Pir. At 11-20 p.m. the Head Constable informed that the Maliwada Mosque had caught fire and that stones were being pelted at the Durgah. At 11-30 p.m. information about pelting of stones at a mosque in Hatampura which is further east of Burud Lane was received. It was also conveyed that Constable Rajhans visited the place. At the same time information was also received about the continuance of the pelting of stones at Maliwada Ves. At 11-45 p.m. a request was received on phone for deputing two persons at Telegraph Office in Saubhagya Sadan at Maliwada and also of pelting of stones on both sides of Panchpir Chowki. At 12 O'clock a request was received from Panchpir Chowki for sending force as stone pelting was going on. At 1 a.m. there is a report of a private house burning near Panchpir Chowki where the Fire Brigade vehicle was. At 1-40 a.m. information was received about the damage done to the Durgah and about the collection of a mob at Juna Bazar. At 1-45 a.m. information about the looting of Madvasha Durgah was conveyed by another person. At 1-55 a.m. information was again given of the collection of people near the Pir in Juna Bazar and their causing riot. It is on this information that one Nagesh Govind was sent there with force. At 2-15 a.m. it was reported that one shop and a bakery in Juna Bazar were damaged. At 2-22 a.m. information was received about Taj Cycle Mart in Burud Lane being set on fire.

4.76 It may also be mentioned here that information about Ahire's death was received at 12-20 a.m. from Dr. Garje of the Civil Hospital. We have it from the statement of Koteshwar Challa in the Sessions trial in the case about the alleged murder of Ahire that at about 11 p.m. he noticed groups of Hindus moving between the Syed Baba Pir on Mahatma Phule Road and Maliwada Ves. Someone among these persons said that rioting was in progress in the whole city. These people then set fire to the mosque outside the Ves.

4.77 After some time he saw a crowd of persons running from the Pir towards the Panchpir Chowki. He did not notice who those persons were but someone shouted from the crowd standing near the Punjab Eating House that a person had fallen on the road. He went upto that person and found that it was Ahire.

4.78 Police pickets were posted at Panchpir Chowki, Maliwada Ves and at Fulsoundar Chowk. Each picket consisted of two constables. These constables by themselves proved ineffective in dispersing the mobs. They just conveyed information of what was happening to the police station.

4.79 It would be noticed that some force was sent to this area at 1-55 a.m. when the actual report of rioting was passed on to the police station.

4.80 We have it from the statements of Inspector Sheikh, S.I. Gadre and Sub-Inspector H. R. Joshi that when they got information about trouble at Madhvasha Pir at about 10-45 p.m., they sent the constables who had come to Tatti Darwaja with Sub-Inspector Gadre. These constables, 15 in number, appear to have been successful in controlling the situation there. Sub-Inspector Gadre has further stated in his written statement that the information conveyed to these officers was also that the mob had got a barrel of oil to set fire to the Durgah. The statement of Sub-Inspector H. R. Joshi before us that he himself proceeded to Madhvasha Pir seems to be incorrect and is not consistent with what he had stated in his written statement in conformity with the statements of the other two police officers that on hearing about the trouble at Madhvasha Pir, only some constables were sent there.

4.81 Sub-Inspectors Dhumane and P. N. Joshi and Dy. S.P. Bhise proceeded after 1 a.m. to the durgah at Mahatma Phule Road and after dealing with the situation there proceeded towards Madhvasha Pir at about 2 a.m. Shri Dhumane after describing what he did at Syed Baba Durgah stated in the written statement:—

“After some time the S.P. Shri Thakur arrived there along with some Military Officers. It was learnt that a mob had gathered near Madhwasa Peer and they were pelting stones etc. I along with some officers and men went to Madhvasha Peer. HC Sarmane was there with some policemen. He reported that an unruly mob had ran away in front of the Madhvasha Peer after damaging it slightly. I kept assistance of HC Sarmane and decided to check the whole area to put the

mob out of action. I checked Hatampura, Ramchandra Khunt and then came back to Madhvasa Peer. On the way a cycle shop was burnt to ashes near Burud galli corner. When I along with the SDPO Shri Bhise, PSI Joshi reached Madhvasa Peer it was about 2 a.m. The mob had spread up in the adjoining lanes and people were still pelting stones on the police. Tear gas was used. Lathi charge was also used to disperse the mob. A number of policemen received stone injuries in quelling the disturbances. I also received two stone hits, one with minor injury and the other on the steel helmet. We chased the miscreants and arrested 3 persons. It was noticed that a barrel full of crude oil was brought from an adjacent kerosene oil depot belonging to Shri Jape and kept in Madhvasa Peer with a view to set it on fire. The crude oil was spread all along the road from Madhvasa Peer to the kerosene oil depot. The barrel was found to have been brought out of the 10/12 barrels stored by the side of the oil depot in the open place. Generally there is large quantity of kerosene in that depot. In case the mob would not have been prevented from setting fire to Madhvasa Peer the fire would have spread to the Kerosene oil depot and it would have resulted in serious mishap in that locality. I kept sufficient policemen at Madhvasa Peer and then after the situation was brought under control, I returned to Gandhi Maidan."

4.82 Similar are the statements of Dy. S.P. Bhise and Sub-Inspector P. N. Joshi. P. N. Joshi has stated that he returned to Gandhi Maidan at 4-30 a.m. The total damage caused to the Madhvasa Durgah was estimated to be about Rs. 500. It appears that the 15 constables sent at about 11 p.m. succeeded in dispersing the mob which had attacked Madhvasa Pir at first. It was a second mob at about 1-45 a.m. which was dealt with by the other police officers who went there at about 2 a.m. The breaking open of the oil store and bringing of a barrel of oil to Madhvasa Pir seem to have taken place at this time and probably after the police party had gone away to check up the area as the trail of oil from Jape's oil depot to the Pir was not noticed on the first occasion.

4.83 According to inspector Sheikh's written statement it would appear that the police party went to Fulsunder Chowk area at about 3 a.m. and later went to Madhvasa Pir where he and other officers dispersed the mob and arrested a few miscreants. It seems that his estimate of time is wrong. All the other officers stated to have gone to Fulsunder Chowk after 1 a.m.

4.84 Reports about the attack on the Durgah at Fulsunder Chowk and the mosque at Maliwada Ves were received at the police station at 10-50 p.m. and 11-15 p.m. respectively and at 11-20 p.m. information about the burning of the Maliwada Mosque was also received. No police force appears to have gone there till after 1 a.m. with the result that a lot of damage was done in this area between Fulsunder Chowk and Maliwada Ves.

4.85 It is to be noticed that there is no report from the Maliwada area between 12 O'clock and 1-40 a.m. except of the burning of a

private house at 1 O'clock. It may be due to the possible scare among the people on account of the incident of stabbing Ahire which led to his death.

4.86 The damage to the Syed Sab Durgah was not much. It is estimated to be about Rs. 60. The four 'Kalas' had been pulled down, the Kathada had been damaged and the front door had been burnt. But the Habib Bakery with all the articles inside had been completely burnt. The damage caused is estimated to be about Rs. 30,000. The proprietor claimed Rs. 25,000 as compensation. A Hindu shop near this Durgah also suffered a loss amounting to a few thousand. The damage to the Maliwada Mosque was estimated to be about Rs. 200 and the damage to the shop of a barber was estimated to be about Rs. 300. The shop of one betel seller was also damaged. The Dry Fish Bakery there also suffered damage estimated to be Rs. 500. During the trouble in this area, as mentioned earlier, Ahire was stabbed. It is not clear from the statements as to why no police force could reach there till after 1 a.m. unless it be that most of the police officers were busy in the Anandi Bazar area till about 1 a.m. and it was on their return to Gandhi Maidan that they got the information about the trouble in this area.

4.87 Shri Dhumane has described the situation there and the action taken thus:—

"After about 1 a.m. I learnt that Syd. Baba Durgah was set on fire. I therefore went there with PSI Joshi and 20 policemen. While coming to Fulsoundar Chowk I noticed about 25/30 Muslim persons standing there. I dispersed them and came to Syd. Baba Durgah. I saw the wooden portion of the Durgah was burning and a bakery and a tailoring shop on fire. Some persons were standing in the adjacent lane. On seeing the police from a distance they ran away. Prob. PSI chased them with the help of policemen.

Since there was danger to the other houses from the fire, I tried to extinguish the fire by utilising water from the surrounding houses. On arrival of the SDPO A.D. Shri Bhise along with some more policemen tried to extinguish the fire. The water was insufficient, hence I contacted the Police Inspector, Administration, on phone and requested him to send a fire brigade at this place. Some portion of the framed (wooden) house shed had to be demolished to save other houses from catching fire. After some time the SP Shri Thakur arrived there along with some Military Officers."

4.88 Before the Commission he has made the following statement in this connection:—

"When I reached the Fulsoundar Chowk, I did not find the picket constables there.

Syd. Baba Durgah is situated between Fulsoundar Chowk and Maliwada Ves, at which place two pickets had been posted that day.

When I reached Syd. Baba Durgah after 1 a.m. I found a portion of the wooden structure of the durgah burnt and some bakery and tailoring shop on fire. The bakery is known as Habib Bakery. The tailoring shop was opposite the bakery and the owner of the shop was a Hindu.

The SP and the military officers arrived there between 1-30 and 1-45 a.m.”

4.89 Dy. SP, Bhise has stated that it was at Gandhi Maidan where he returned at 1 a.m., that he learnt that the durgah at Fulsoundar Chowk had been set on fire and so he proceeded to that place and helped in extinguishing the fire.

4.90 The other incidents in this area were the burning of the Taj Cycle Mart in Burud Lane and the damaging of a shop and a bakery in Juna Bazar. The damage to the Taj Cycle Mart was estimated to be Rs. 3500. The pelting of stones at a mosque at Hatampura took place at an earlier stage at 11-30 p.m. while the trouble in Juna Bazar took place, according to the entries in the Telephone Register, after midnight. The police party led by Shri Dhumane checked up the areas from Madhvasha Pir to Ramchandra Khunt at about 2 a.m. and does not appear to have come across any mob in operation though when it returned on their way back to Madhvasha Pir, they found Taj Cycle Mart burnt. This would indicate that the mob would retreat to the side lanes on the approach of a police party and would come back after the party had left the area.

4.91 It was on the return to Madhvasha Pir at about 2 a.m. that the police party found a determined mob near it. It was pelting stones at the police officers who had to use tear-gas shells and made a lathi charge to disperse the mob. The police could also succeed in making a few arrests.

4.92 At 10-50 p.m. Dy. SP on phone directed that some force be sent to Nalegaon and sub-jail side. The SP stated in his written statement that some people from Gauri Ghumat went to Nalegaon side. We have it in the statement of Sub-Inspector Nimbalkar that after he had been to the Chhaya Talkies, Inspector Purandare directed him to help the police in controlling the mob near Choupati Karanja, Nalegaon, Faradkhana Masjid, Ghodepir, Do-Boti-Chira and Jama Masjid. He stated that rioters from Nalegaon were trying to come over to the eastern area but were kept back by the police. Nalegaon is about 1½ furlong west of Choupati Karanja Mosque. In his written statement Sub-Inspector Nimbalkar has described what he did in this connection thus:—

“I saw Police Inspector Purandare, Police Sub-Inspector Mahuli and Probationary Police Sub-Inspector Kamat near Topkhana Chowki. Inspector Purandare told me that I should help Shri Mahuli and Shri Kamat for controlling the mob near Choupati Karanja, Nalegaon, Faradkhana Masjid,

Ghodepir, Do-Boti-Chira, Jama Masjid and so on. So I went with Inspector Purandare, Sub-Inspector Mahuli and Kamat to all the above areas and controlled the situation. The rioters from Nalegaon were trying to come to destroy or to damage the above masjid but we prevented it. I saw a fire on the road just before Farashkhana Masjid and I tried to extinguish that fire with the help of my brother officers. But the rioters from Nalegaon were pelting stones at us and were preventing us from extinguishing the fire. I received a stone blow on the stomach which gave me acute pain but still I was doing my duties. As the rioters from Nalegaon were trying to cover near the Masjid and as they were stoning us, we all officers divided the force and tried to corner the rioters in small Gallis of Nalegaon. Our plans were successful and we drove all the rioters back to their houses and posted policemen on important chowks so that their coming near the different Masjids was prevented."

4.93 Nalegaon Durgah was damaged. The damage was estimated to be about Rs. 300.

4.94 The sub-jail is south of the Jama Mosque and there are a Garib Shah Durgah few durgahs nearby.  
Syed Baba Durgah

4.95 There is nothing in the Telephone Register to show what action was taken about the sending of forces to this area as directed by Dy. S. P. Bhise.

4.96 At 11-15 p.m. one Muslim informed the police station that the durgah opposite the jail had caught fire. At 11-25 p.m. similar information was conveyed by another person who also informed that the stone pelting was continuing. At 11-30 p.m. another person, a Hindu, informed about the continuance of pelting of stones. At 2-30 a.m. the Jailor informed that the durgah opposite the jail was on fire and requested for the sending of the fire brigade. He was informed that the vehicle had gone to bring the tank filled with water. Incidentally it may be mentioned that according to the fire brigade report, the information about the fire at the sub-jail was received at 10-50 p.m. and the fire brigade reached there at 10-55 p.m. Clearly this is wrong, as the first report of fire on the durgah opposite the jail was received at 2-30 a.m. There is no evidence about any police force reaching this place between 10-50 p.m. and 2-30 a.m.

4.97 The damage to Syd. Baba Durgah on the lane where the Sub-Jail Road meets Juna Mangalwar Bazar is estimated to be Rs. 300 and the damage to Garishasna Baba Durgah to the north-east of the sub-jail is also estimated to be Rs. 300. There is another durgah on the Zarkar Gali behind the Remand Home which is west of the Garib Sha Durgah. One minar of this Durgah was pulled down and the wood work was damaged. The damage was estimated to be about Rs. 200.

4.98 Another incident in this area took place in the Do-Boti-Chira Masjid and the Durgah which is south of the Judge's Court. At 12-30 a.m. information was received on telephone that the mosque at the back side of the Court caught fire—the mosque referred to is the Do-Boti-Chira Masjid. At 2-05 a.m. constable Gaikwad telephoned from Topkhana Chowk that there was a big conflagration at Do-Boti-Chira. At 2-20 a.m. a peon reported from the Court about an arson to the wooden depot near Do-Boti-Chira. The entries record that the staff in reserve at Topkhana are being sent there. The loss is estimated to be about Rs. 2000. The durgah had been demolished, the fuel depot near the mosque was looted and some wood was taken to the road and burnt. It appears that no police force could reach this place between 12-30 a.m. and 2-20 a.m. Do-Boti-Chira Mosque is quite close to the Jama Mosque and the fact that no police force reached Do-Boti-Chira during this interval lends support to the statement of Abdul Gani that no police force reached the Jama Mosque till 3 a.m. It may again be noticed in this connection that Do-Boti-Chira Mosque is the first place where the original trouble started after midnight. At the places that we have dealt with so far, original trouble started between 10 p.m. and 11 p.m. though the troubles continued till much later. The starting of the trouble there could be attributed to the persons returning from Markandeya Temple and the areas nearabout where trouble had first started. Such people carried the news of the incident at the Markandeya Temple and of the troubles elsewhere and could thus be instrumental in leading people of the locality to attack the Muslim shrines in their areas.

4.99 A few incidents that we have yet to deal with also started after midnight, there being no report of those incidents having taken place at these places earlier.

4.100 At 12-15 a.m. on the 19th September a police constable informed about the pelting of 10 or 12 stones on the mosque near Mangal Gate. There is a mosque known as Kach Mosque there and so the reference seems to be to that mosque. At 12-45 a.m. constable Khonde informed that pelting of stones had started at Kach mosque at Mangal Gate. Only minor damage seems to have been done to this mosque as it does not figure in the statement Exhibit XI or in the claims submitted for compensation to the District Magistrate.

4.101 At 12-25 a.m. on the 19th September, Constable Gani one of the police pickets at Gai Kasai Mohalla informed of the pelting of stones at Pharsakhunt and that about 100—150 people had gathered near Kasai Mosque. The information was confirmed by Constable Usman as well. At 12-45 a.m. one Shri Palve informed of the mosque near Pharsakhunt catching fire. At 1 a.m. Constable Usman again telephoned about the collection of 100 boys near Pharsakhunt. At 1-10 a.m. information was received of the collection of a mob near Kasai Mosque. The information was given by one Abdul Bahiram, a private person and also by P.S.O., Nagar Taluka Police Station.

At 1-20 a.m. another person phoned about the collection of a mob at Pharsakhunt, and Constable Usman at the same time informed about the damage being caused to Hotel Karimiya, which is situated between Pharsakhunt and Kasai Mosque. At 1-35 a.m. information was received of a Durgah in Khisht Lane being set on fire. The Khisht Lane is also close to Pharsakhunt. At the same time information was received from Home Inspector about an unlawful assembly at Pharsakhunt. It was on this report that some action seems to have been taken in so far as Shri Bhaurao was sent to give information to the Dy. S.P. At 1-50 a.m. Home Inspector again rang up and directed the sending of help to Pharsakhunt side. It appears, therefore, that for over an hour trouble continued in this small area of Khisht Lane, Pharsakhunt and Gai Kasai Mohalla and that probably no police force reached there. Of course two fixed point pickets each consisting of two constables were posted at Pharsakhunt and Gai Kasai Mohalla who could only inform the City Police Station about the situation.

4.102 Inspector Sheikh has deposed that at about 11-45 p.m. he got information that the mob was going towards Kasai Gate and that he with two constables went there and dispersed them. He went there from Tatti Darwaja and returned there after dispersing the mob. The damage caused to the Karimiya Restaurant was estimated to cost about Rs. 5000. The durgah in Khisht Lane suffered a loss of about Rs. 300.

4.103 The next incident took place near Ganj Gate. At 1-20 a.m. **Ganj Gate** a report was received that the glasses of Usman Hotel near Ganj Gate were broken. At 2-51 a.m. Constable Usman of Ganj Gate informed about some fire taking place in Ganj Gali. At 2-52 a.m. Nava-Maratha informed about a big fire in Ganj Lane. Dy. SP directed at 2.53 a.m. for the sending of forces to Ganj Gate and accordingly seven persons were sent there. The shop of Abedin and Sons in Ganj Bazar was broken open and its articles thrown out and burnt. The damage caused amounted to Rs. 4,500.

4.104 The telephone entries indicate some trouble occurring at other places which have not been located and have not figured in evidence. We may now just refer to these entries.

4.105 At 10-50 p.m. information was received about the pelting of stones on Dr. Bashir's house. Three constables were then sent there. At 12-05 a.m. one Vasantrao Gandhi informed that the Pir near the house of Rajurkar was being set on fire and at 12-20 a.m. the Manager, S.T., informed that a mob had collected and requested for a police force to be sent. At 12-45 a.m. one Kulkarni informed that a coal depot near Treasury Guard had caught fire. At 1-20 a.m. the peon of the Collector telephoned about the collection of a mob at the College Road, Mrs. Gundecha phoned for help as people were throwing stones and directions were received for sending help to the Collector's Bungalow and for sending of force to the shop of Shri Kachkal. At 1-35 a.m. information was received that a Durgah near



Brahman Karanja at Idgah Maidan was burnt. At 2-45 a.m. information about the collection of a mob opposite the House of Shri Dani was received. Force was sent there.

4.106 At 1 p.m. on the 19th September, a report was lodged about the damage caused to the Pir near Dasaji adda in the Cantonment area on the night between the 18th and the 19th September. The loss caused to the Pir was estimated at Rs. 1,085.

4.107 Report No. 61 was registered on the 19th September at Camp Police Station by Abba Gafu about the destruction of and arson to the Pir near Dasamaji on the night between the 18th and the 19th September, 1967.

4.108 There is no record of any other incident till 10-45 a.m.

4.109 Two points appear to be clear from entries in the Telephone Register. One is that the collection of people and the breaking out of trouble at the various places was not simultaneous. The second is that the trouble was at first confined to places in the northern half of the city and that it was at about midnight that the trouble spread to the southern area and that it was even later that trouble spread to the portions further eastwards.

4.110 It has been stated by Dy. SP Bhise that violence took place in a number of places on the 18th September as excited people from different localities, who had gathered at Gandhi Maidan on hearing of the news of the disfigurement of the Markandeya idol, were dispersed from there and when returning home attacked the various Pirs, Durgahs and other places which were on the road or by the roadside. He further deposed:—

“Of course, Ghodepir was an eyesore and people were anyway determined to destroy it.

The people at other places showed up stiffness in resistance when asked by the police to disperse and when on their not dispersing, lathi charge was ordered and tear-gas shells were thrown at them.”

4.111 The SP has stated in his written statement:—

“The disturbances also took place at Chaupati Karanja, Juna Kapad Bazar, Maliwada, Parsha Khunt and also in the Cantonment limits of Ahmednagar. But the situation there was brought under control immediately due to the prompt action taken by the police officers and men sent by me for handobast at these places.”

4.112 We do not consider this to be a fair statement, when, as mentioned at relevant places, police forces did not reach certain places of disturbance at all even for an appreciably long period.

## CHAPTER V

### Incidents of the 19th, 20th and 21st September, 1967

5.1 The situation did not return to absolute normalcy on the morning of the 19th September when on the arrival of the SRP the army was returned. Shri Bhise has stated in the written statement:—

“After the abovementioned main disturbances stray incidents regarding attempt to cause damage to Jumma Mosques and Gaurighumat and Katch Mosque on one side and the removal of Goddess “Rukhamini” idol from Shanker Temple of Vanjar Galli on the other side did take place but no untoward incident followed these incidents.”

5.2 No report of any incident appears to have been communicated to the police station upto 10-45 a.m. that day.

5.3 At 10-45 a.m. on the 19th September information was conveyed on phone about the collection of people at Telikhunt and about the burning of a school there. The fire brigade was informed. The copy of the “Lorry Account” (Exhibit XVI) shows that information was conveyed at 10-55 a.m.

5.4 On the 19th September, according to the statement showing police bandobast in Ahmednagar police area from the 18th September to 20th September, there should have been four Head Constables and 16 Constables with the SRP at Telikhunt.

5.5 At 1 p.m. some people tried to pull down the minars of the Jama Masjid. The police arrived at the spot and the miscreants ran away. The police, however, succeeded in arresting 13 of them.

5.6 At 3-45 p.m. there is a report for help being sent as rags had been collected at Vithal Rakhmai Temple. At 6 p.m. there is a report of a mob collecting near Shani Mandir. At 9 p.m. there is a report of commotion at Laltaki. At 9-15 p.m. there is a report of the people standing in groups in Belkhar Lane. At 9-30 p.m. there is a report of pelting of stones in Burud Lane. At 10-45 p.m. there is a report of a Muslim mob gathering in Subedar Lane with two tins of kerosene and torches. Adequate action appears to have been taken on these various reports as there is no further report of any actual damage being done at the various places.

5.7 At 11 a.m. on the 20th September, there is a report about people shouting at Zendi Gate and at 11-22 a.m. there is a report of counter-attack going on from Zendi Gate to Kamathipura. Further information was received at the same time that Muslims had gathered at Zendi Gate. At 2 p.m. there is a report about the pelting of stones at 10 a.m. in Hatampura.

5.8 First Information Reports were also lodged about pelting of stones on Gauri Ghumat at 10-30 a.m. on the 20th September, about collection of people at Bepari mosque at about noon on the 20th September, about the burning of a staircase of the Kach mosque at Mangal Gate at 3 p.m. on the 21st September and about the removal of the idol of Rukmani from Vithoba Rukmani Temple between 11-30 a.m. on the 21st and 8 a.m. on the 22nd September.

5.9. We have so far dealt with the incidents in the area of Ahmednagar city. There were, however, a few incidents in the Cantonment area within the jurisdiction of Camp Police Station. Shri Gadre, the Station Officer, remained busy in the city till about 8-30 p.m. on the 19th September. On return to the City Police Station, he received a message about tension at Bhingar, the disfiguring of the idol of Maruti, the damaging of the Pirs and mosques and of setting fire to mosques. He went to the Camp Police Station and other superior officers also followed. By the time he reached the Maruti Temple, he found that somebody had thrown green colour on the Maruti idol but the Hindus had by that time practically restored the idol to its proper form by applying sindur etc. on it. The incident, however, led to resentment among the Hindus and they damaged some mosques and Pirs. Shri Gadre then received two reports—one No. 59 of 67 with respect to the incident at the Maruti Temple and the other No. 60 of 67 with respect to the durgah near the police station.

5.10 Exhibit XI gives the following details of the incidents reported in Ahmednagar Cantonment area on the night of the 18th and the 19th September:—

1. The Maruti idol in the Maruti Temple near Ves in Cantonment was besmeared with green oil paint.
2. A small pir near the Maruti Temple above, was damaged by removing stones and bricks.
3. A small pir near Ram Mandir in Gawaliwada was demolished.
4. Two pirs on Main Road near Shaki Kabar were demolished. A cycle shop called M.K.M.Y. Cycle Mart belonging to a Muslim was attempted to be set on fire but no damage was done.
5. Six minars of a Masjid were pulled down. A nearby house of the servant residing in the mosque was damaged and destroyed.
6. A small pir in Hali Galli was damaged.

## CHAPTER VI

### Persons injured during the Disturbances and Medical Treatment

6.1 Twenty-nine public servants got injured due to stone throwing by the rioters at different places. They included one Head Constable, one Constable and 20 armed constables. The other persons injured were the Superintendent of Police, the Sub-Divisional Police Officer, the Police Inspector and two Police Sub-Inspectors. One Head Constable Shri Dhavale and one Constable Suresh Malhari, who had a fracture, were admitted to the dispensary for treatment. The others were treated in the out-door section. Dhavale was the Head Constable in whose beat was situated the Ghodepir area where the first main incident took place. Besides these, two Fire Brigade men, not included in the list Exhibit X were injured.

6.2 According to this list eight non-officials had their injuries examined at the hospital. Two were injured due to stone throwing and two were injured with the bullets fired by the Superintendent of Police near Ghodepir and Gauri Ghumat. Three persons received injuries due to lathi-charge by the police. Injuries of the eighth person, 80 year old Muslim, included injuries due to burns as well.

6.3 A staff nurse from civil hospital phoned the police on the 19th September that one Shankar Gaikwad of Nalegaon injured in lathi-charge had been admitted to the hospital. One Mohan Anant examined in the Ripon General Hospital on 18th September 1967 had two contused lacerated wounds according to the injury report probably by a lathi. The names of these two persons are not included in the list Exhibit X.

6.4 During the disturbances one Ahire died on account of the injuries received after midnight near Syed Bawa Pir Durgah on Mahatma Fule Road. He was taken to the hospital and was found dead when examined by the doctor at about 11-45 p.m.

6.5 Shri Zarkar, District Secretary of the Bhartiya Jan Sangh, Ahmednagar, and Shri M. N. Patil, advocate stated in their written statements that Shri Ahire was not given prompt and immediate medical help.

6.5 Shri Zarkar, District Secretary of the Bhartiya Jan Sangh, "My information is that Ahire was taken to the hospital and he was kept in the verandah there for about an hour and that the medical officer attended on him only when the people rushed to the hospital."

6.7 Shri M. N. Patil has deposed :—

"In my written statement I stated about Ahire not being rendered timely medical help. One Sriram Koteswar Challa

of Malewara took Ahire to the hospital. He told me that he could get medical help there after a long time. I did not inquire from him as to whether this was due to the absence of the doctor from the hospital or the doctor being busy elsewhere. He was taken to the hospital for treatment and that implied that he was not dead when he reached the hospital."

6.8 We got the copies of the statements of the Medical Officer and Sriram Koteswar Challa in the Sessions Court in connection with the alleged murder of Ahire. Dr. Narayan deposed that Ahire was brought to the Civil Hospital on the 18th September 1967 at 11-40 p.m. by Koteswar Challa and that when he examined him, he found him dead. He had penetrating wound on his chest. He further stated :—

"On 18th September 1967 Dr. Garje was working in the Civil Hospital during the night along with me. Dr. Garje examined the deceased Sonyabapu along with me. Dr. Garje did not make any note as Sonyabapu was found dead on examination. When a dead body is received no notes are prepared. The entry is made in a register maintained for dead persons and then the police are informed. Dr. Garje informed the police that Sonyabapu was dead."

6.9 According to the statement of Koteswar Challa, Ahire was found lying injured by him sometime after 11 p.m. and that it took some more time to arrange a conveyance for taking him to the hospital where he was given into the custody of the Medical Officer at about 11-45 p.m. He further stated that the doctor examined Ahire and said that he was dead.

6.10 Dr. Garje informed the police on phone at 12-30 a.m. that a person had died due to stabbing with a knife, as appears from a note in the police record of the telephonic messages.

6.11 There is not a word in the statement of Koteswar Challa about any delay in the examination of Ahire at the hospital. The various timings do not support the allegation that Ahire was not attended to by the doctors for about an hour or so after his arrival in the hospital. We consider this complaint against doctors to be unfair and perhaps based on incorrect information or bias.

## CHAPTER VII

### Investigation of Cases Registered and its Result

7.1 Reference has already been made to the first report, F.I.R. 221 of 67, lodged about the disfigurement of the idols at the Markandeya Temple. The case was investigated by Shri Balkundi. Final report was submitted in the case on 10th March 1968.

7.2 The next report, F.I.R. 222 of 67, was lodged by Head Constable Rajhans at 6 a.m. on the 19th September with respect to the murder of Ahire. On investigation of this report by the C.I.D. Branch, five cases were sent up to court with respect to the incidents at various places—four on the 3rd October 67 and the 5th for the murder of Ahire on the 27th November 1967.

7.3 One case in connection with the incidents at Karimiya Restaurant and Abedin and Sons at Pharsakhunt and Ganj Gali respectively ended in the conviction of the two accused sent up.

7.4 The other four cases ended in acquittal. Appeals, however, have been filed against the acquittal in two cases—one in relation to the murder of Ahire and the other in relation to the incidents at Pir Pathar and Chandoli Dargahs of Khist Gali.

7.5 F.I.R. 224 of 67 was lodged by Abdul Gani at 11 a.m. on the 19th September. It was mainly with respect to the incidents at Jama Mosque on the night of the 18th and the 19th September. He mentioned in the report about the damage done to Do-Boti-Chira Mosque and to the tombs of Karim Shah and Syd. Shah near Jail Road. On investigation of this report by the local C.I.D. under the supervision of the C.I.D. Branch, two cases were sent up to court on 2nd October 1967. Both the cases ended in acquittal.

7.6 The next report, F.I.R. 225 of 67, was lodged by Sub-Inspector Dhumane with reference to the incidents between 9-30 p.m. on the 18th September and 2-30 a.m. on the 19th September. On investigation by the local police, five cases were sent up to court for incidents at various places—two on 3rd October 1967 and three on 9th October 1967. All the cases ended in acquittal.

7.7 Of the three cases registered at Camp Police Station on the 19th September, final reports were submitted in the cases relating to F.I.Rs. 59 and 61 of 1967 on 21st October 1967. The case regarding F.I.R. 60 of 67 about the durgah was sent up to court against 10 persons on 8th October 1967. They were all acquitted.

7.8 F.I.R. 226 of 67 was lodged by P.S.I., D.S.B. at Nagar at 2-30 p.m. on the 19th September in connection with the incident which took place at 1 p.m. that day. Its contents show that the incident

consisted in a number of people attempting to pull down the minar of the Jama Masjid. Thirteen persons were arrested. The case against them was sent to court on 2nd October 1967 and it ended in acquittal.

7.9 F.I.R. 227 of 67 is a report about the incident at 10-30 a.m. on the 20th September. It was lodged by Constable Kamble with respect to a large mob pelting stones at Gauri Ghumat and shouting 'Break and shatter'. The persons fled away. The police, however, succeeded in arresting four of them. The case, sent up to court on 30th September 1967, ended in acquittal.

7.10 The next report F.I.R. 228 of 67, is by Sub-Inspetor H. R. Joshi lodged at 9-30 p.m. on the 21st September with respect to an incident at about noon on the 20th September. The report said that a mob collected near Bepari Masjid and on the arrival of the police, it ran away. From among those persons, the police could arrest 22 persons after chasing them. They were all Muslims. On search of the mosque, small and big stones, iron bars, three big bottles filled with ink, two big bottles filled with kerosene and other articles were recovered. The case, sent up to court on 22nd September 1967, ended in acquittal.

7.11 The next report, F.I.R. 229 of 67, was lodged by Ibrahim Rahim Pathan at 10 p.m. on 21st September about an incident alleged to have taken place at 3 p.m. that day. It is with respect to the burning of a staircase of the Kachi Mosque at Wanjar Galli at Mangal Gate. The report appears to refer to the incident on the Kachi Mosque on the night of the 18th and the 19th September. The case was sent up to court on 5th October 1967 and ended in acquittal.

7.12 The next report, F.I.R. 230 of 67, was lodged by Smt. Sitabai at 8-30 a.m. on the 22nd September with respect to an incident which took place between 11-30 a.m. on the 21st September and 8 a.m. on the 22nd September. It was alleged that the idol of Rukmini had been removed from the temple of Vithoba-Rukmini. The idol was found in a night-soil gutter which was at a distance of 40-50 ft. of the temple. A final report was submitted on 24th October 1967.

7.13. It is clear from the above that cases were investigated promptly and that most of the cases were sent up for trial. All the cases, except one, ended in acquittal. Appeals have been filed against orders of acquittal in two cases.

## CHAPTER VIII

### Comments on Action taken

8.1 The news of the disturbances between 8 and 12 p.m. on the 17th September at Sholapur appears to have been received by the authorities at Ahmednagar on the morning of the 18th September. The D.M. states that he got the first information about Sholapur incident from the S.P. on the 18th September. The S.P. has not stated anything about the time when he got the news. Dy. S.P. Bhise stated in the written statement that the news of Sholapur incident was received on the 18th September in the morning. S.I. Dhumane states :—

“We were alerted on wireless by the S.P., Sholapur and as a result of this picket and patrol arrangements were made on the 18th September.”

8.2 This indicates that the S.P. must have got the wireless message from S.P. Sholapur during the night of the 17th/18th September. This is also clear from the Bandobast orders for patrolling from 6 a.m. on the 18th September. The S.P. seems to have been complacent in not having communicated the news to the D.M. and other local officers till the 18th morning. The S.P. and D.M. did not appear to have held consultation as to whether the elaborate arrangements of the 17th were to continue on the 18th or not. The arrangements need not have been equally elaborate but some of the extra forces could have been retained for eventualities. Past experience should have shown that such disturbances can have repercussions in other places as well.

8.3 On learning from S.P. about the Sholapur incident, the D.M. states :—

“I asked him to watch the reaction of the people in the city and to keep me informed. He contacted me a few times on the 18th and our information was that there had been no particular reaction of the news on the people in the city. Arrangements for patrolling and posting of pickets had already been done by the police.”

8.4 The consensus of non-official evidence, however, is that Sholapur incident might have inspired the disfigurement of the idols which led to the disturbances.

8.5 The consensus of evidence is that there was no tension among the communities on the 18th September till the disfigurement took place; but this does not mean that the people were not affected by the news. Shri Abdur Rahim and Shri S.A. Pathan have stated about the Police not sensing the tension. Shri Abdur Rahim stated in his written statement:—



"There was some visible communal tension immediately preceding the disturbances of the 18th September, 1967 and the news of communal disturbances at Sholapur on 17th September 1967 was flashed in a way that could spark off communal trouble any time. The police authorities should have sensed this tension and should have been in readiness to meet the situation which they did not do."

8.6 Shri S. A. Pathan stated in his written statement :—

"Really if Police had been a little cautious after the news of Sholapur riot the unfortunate situation would have been averted. No information was given to the authorities thinking that the Police would take appropriate steps as a precautionary measure."

8.7 Shri Pathan stated before us :—

"By the expression that no information was given to the authorities in paragraph 4 of my written statement I really mean that no suggestion to the authorities was made to take necessary precautionary measures on the expected results of news of Sholapur incident."

If they felt any apprehension of trouble, the statement shows their indifference in the matter.

8.8 The Police intelligence agency seems to have been complacent in the matter and did not exert to gauge the feelings of the two communities.

8.9 Further, Peace Committee meeting could have been called and the services of its members utilised for maintaining peace in the city. Shri Pathan states :—

"There is a Peace Committee at Ahmednagar I am a member of it. Usually it comes into operation when the trouble has started, and mostly after the trouble is ended. The Peace Committee members were on duty on the 17th September during the Ganpati procession. No meeting of the Peace Committee was called on the 18th September to contemplate measures for maintaining peace in the town despite news of Sholapur incident."

8.10 Shri Zarkar states :—

"There is a permanent Peace Committee at Ahmednagar, but it comes into action usually prior to Moharram and Ganapati festivals. It is called by the President of the Municipality under the guidance of the District Magistrate. I am a member of the Committee."

8.11 The reports by various Head Constables and other ranks bring into prominence the ineffectiveness of a few constables on fixed point duty or of a few constables patrolling a certain area in so far as checking the trouble is concerned. We find these constables and Head Constables just conveying information of what was happening there and either doing nothing against the miscreants or proving extremely ineffective.

8.12 It is also clear from several repeated reports with respect to the same place that the police force could not reach it in time. To some extent this is what could be expected in the circumstances of trouble arising suddenly and to some extent to slow communication, but this appears to have been mainly due to inadequacy of police force.

8.13 Information about the various incidents could be received at the Police Station by phone or by messengers. The information so received was to be conveyed to Gandhi Maidan where the forces were collected. The news had to be transmitted to the police officer at the telephone in a press building closely or again had to be sent by messenger. Dy. S.P. Bhise has deposed :—

“There was a telephone in the Printing Press near the Gandhi Maidan and the messages were given and received on that telephone. This telephone was being used by S.P. Chandrakar the Correspondent of ‘Sakal’ might be there.

The police officers on duty at different places in the city could contact the higher authorities only by sending messengers to the City Police Station from where the messages could be conveyed to the officers concerned. Telephone was also used from the places available to the police officers. The police officers could use a good number of private telephones.”

8.14 Sub-Inspector Kanoray was at the Press from about 9-30 p.m. to about midnight. He has deposed :—

“I was getting information from the City P.S. as well as the public who could have expected some police at the tele-  
andeya Temple. I went to the Press at about 9-30 p.m. I remained there till 12 midnight or 1 a.m.”

8.15 It is not clear which police officer was at the telephone after D.M. sent S.I. Kanoray with a jeep to the army authorities. Probably no officer was there as we find from telephone register entry at 1-35 a.m. that one Bhaurao was sent to give information to the S.P. Nagar about unlawful assembly at Pharasakhunt.

8.16 It is also clear from the evidence that the mob would return to the attack at the very place from where it had been dispersed some time later, after the police force had left.

8.17. The District Magistrate passed an order under section 144 Cr. P.C. at 9-40 p.m. subsequent to the trouble at Ghodepir becoming serious. It had been set on fire, attempt of the fire brigade to reach there had been defeated by stone throwing and street lights had been broken.

8.18 The issue of an order at this stage, under section 144 Cr. P.C. prohibiting people to collect in numbers larger than four was futile as it could not possibly be enforced. The people had taken to lawlessness. The police force at the disposal of the authorities was inadequate. The only purpose it could have served was to prosecute some persons who might be ultimately arrested on the streets.

8.19 A lathi charge is not expected to be of any use against stone throwers. The range of a lathi is much shorter than the range of brickbats. Teargassing of the crowd helps in dispersing them but leads to the crowds receding into lanes and bylanes of a city and committing mischief there.

8.20 Shri Thakur, the Superintendent of Police, has deposed in this connection :—

“When I ordered lathi charge on the Ghodepir, the police could not reach the mob which had been throwing stones and had gone into the lanes. The use of teargas was not effective on the mob. The mob went to the lanes opening on the bazar. The fire brigade was not allowed by the mob to proceed. I then led a party and reached near the crossing of the bazar just ahead of Ghodepir. The mob then went into the lanes. I fired two shots from my revolver. I had some armed constables with me. The orders of firing could not have been justified because of lanes.”

8.21 Tear gassing and lathi-charging appear to have become routine practices to disperse crowds who usually take to stone throwing, and are repeated when the crowds reappear at the very place. The turbulent incidents thus occasionally get protracted with the result that not only they create fear to the law abiding citizens of the locality, and encourage the law breakers but also go on depleting the effective strength of the Police Force on account of a number of policemen getting injured from brickbats. Firing can be justifiably resorted to once the mob gave an indication of its persistent inclination for violence. It is significant that a couple of revolver shots injuring two persons at Ghodepir and a few shots at Gauri Ghumat and at Tavakal Vastad Talim not only brought the situation under control at these places but also led to the non-recurrence of any further trouble at these places.

8.22 Firing seems to be the only effective step to disperse a mob and taking recourse to the other measures is only prolonging the period of lawlessness. Of course, it may be mentioned that firing is not resorted to in view of the consequences it leads to, both to the people on the spot, some of whom may be innocent, and sometimes to the officers responsible for having ordered firing. In this connection we may quote from the statement of Shri Pradhan, the D.I.G. of Police :—

“Though stern measures like firing against mobs armed with brickbats and other hitting missiles, determined to disobey orders for dispersal, may have quick effects, they have to be avoided as far as possible. The police is being trained to withstand brickbattling by the mob and also to shed the psychological fear of being hit by brickbats. The repercussions of firing, both as regards injuries on the persons hit and the innocents being hit and further injuries are not quire good; and unless the authorities on the spot consider it the only method to disperse the mob to save a situation, firing should not be resorted to.”

8.23 The part played, if any, by the magistracy other than the District Magistrate at Ahmednagar that night has gone unnoticed in the written statements filed by the government officers. The District Magistrate when questioned about it, deposed that he had five Executive Magistrates in Ahmednagar in those days, that he sent for them later, that they arrived after 11 p.m. and were then posted to different places. It appears that the District Magistrate was slow in summoning the Executive Magistrates. He should have called them to duty at 9-10 p.m. when he got the information about the incident at Markandeya Temple. He did not consider it necessary to call upon the judicial Magistrates for help that night.

8.24 Orders under section 144 restricting the movement of people were enforced during different periods between the 19th and the 25th September. The order was fairly strictly enforced and according to the S.P., 413 persons and according to the District Magistrate 423 persons were arrested, for violating orders. In spite of this some people did move about and were responsible for some incidents.

#### Military

8.25 The District Magistrate has deposed :—

"I alerted the army at 11 p.m. on the 18th September and requisitioned it at about 11-30 p.m. and the army actually arrived at Gandhi Maidan at 12-20 a.m. on the 19th September. It was divided into three parties, one party remained at Gandhi Maidan and each of the other two parties was posted at Maliwada Ves and at Topkhana.

I acted on the view that the posting of the military at the vulnerable points will have a salutary effect on the people and that they would be quietened down and that this would relieve the police for patrolling other areas and on mopping up of miscreants. The posting of the military at Topkhana and Maliwada Ves did have the desired effect and the situation in the city was controlled practically by 3 a.m.

The cantonment is about 2 miles from the city. The military responded to my call very promptly."

8.26 The D.M. stated in his written statement :—

"Sent a call to the army when the trouble spread to more areas and the situation threatened to be worse. At this time information was also received of a person being stabbed to death. Three army columns (2 Officers, 4 J.C.Os. and 129 other Ranks) arrived at Gandhi Maidan at 12-10 a.m. (on the 19th) and were immediately posted at the most vulnerable points."

8.27 It was called when the news about death of Ahire was received and so must have been after 12-20 a.m. on the 19th September or at least after 11-45 p.m. on the 18th September when the doctor examined Ahire and declared him dead.

8.28 It was, therefore, not possible for the army to arrive at 12-20 a.m. on the 19th September. According to Shri Kanoray, he went to the place of the Commanding Officer of the Military with the D.M.'s letter at about 12 O'clock or 1 a.m. and that the place is three miles away from the Press.

8.29 If according to the D.M. the army arrived at 12-20 a.m. at Gandhi Maidan, it appears to have taken an unduly long time in taking its position at the Maliwada Ves and Topkhana.

8.30 Shri Dhumane has deposed that the S.P. with military reached Fulsoundar Chowk between 1-30 a.m. and 1-45 a.m. Inspector Purandare stated in his written statement that the troops arrived at Topkhana Chowk at about 1 O'clock. Sub-Inspector Nimbalkar deposed that he noticed the military arrive near Topkhana Chowk at about 2 a.m. S.I., Pawar who was at Gandhi Maidan since about 11-45 p.m. states that the military passed that way at about 3 a.m.

8.31 Another entry at 2-05 a.m. with respect to Constable Gaikwad's phoning from Topkhana requesting for a vehicle and force also tends to indicate that the military force had not reached Topkhana by then as it ought to have done if it had arrived at Gandhi Maidan at 12-20 a.m.

8.32 There is an entry in the Telephone Register at 2-10 a.m. on the 19th September about the military authorities enquiring as to how the situation stood and of their being informed that fires were taking place at places opposite the Court at Do-Boti-Chira. The enquiry is a bit intriguing if the army had already arrived in the city and taken its position at the places fixed by the district authorities.

8.33 The posting of the military at Fulsoundar Chowk at 2 a.m. did not appear to have had any effect on the people in the locality as we find that several incidents took place near Madhvasha Pir at about that time and that incidents near Pharsakhunt and Ganj Gali took place even after 2 a.m.

8.34 The S.P. has stated in the written statement that the services of the Army were not used actively though they were kept static at three different places in the city. It would have been better if the Army parties were sent out patrolling the streets in smaller zones. That could have had some deterrent effect on miscreants who used to come out once the police party, if any, passed the place.

8.35 That the Army was called in view of the inadequacy of the Police force and not to use it actively appears to be the wrong exercise of discretion by the authorities.

#### Local Intelligence Branch

8.36 Sub-Inspector Kanoray of the Local Intelligence Branch at Ahmednagar from 1965 has deposed that the staff of this Branch working under the Superintendent of Police consists of ten Head Constables, ten Constables, one Sub-Inspector and one Inspector. This staff has no direct contact with the C.I.D. staff attached to the

district and which consists of one Inspector and one Head Constable and works directly under the D.I.G., C.I.D. of the State. The functions, according to him, of L.I.B. are to collect information on matters of political and communal importance and pertaining to maintenance of law and security etc. Weekly reports are submitted to the S.P. who submits weekly diaries to the D.I.G. He has, further, deposed :—

“I got information about the Sholapur incident on the morning of the 18th September. I alerted the various S.Is. to be vigilant.

The constables of the L.I.B. reported to me on the evening of the 18th that everything on communal plane was normal. There was no effect on the minds of the public at Ahmednagar of the Sholapur incident. Normally there is nothing to worry about the communal situation in Ahmednagar.

There was no report of any anti-national activity. No pro-Pakistani activity was noticed.”

8.37 The statement of Inspector Purandare of the L.I.B. is also to the effect that the situation at Ahmednagar was quite normal till the news of the disfigurement of the idols in the Markandeya Temple.

8.38 In view of the ostensible reason for the disturbances being the disfigurement of the idols at the Markandeya Temple, the L.I.B. cannot be blamed for not having information about the possibility of trouble that night. We have already commented on their complacent attitude in their attempts to assess the feelings of the two communities in reaction to the Sholapur incident.

#### Fire Brigade

8.39 We have it in the statement of Shri Godade, Fire Officer, Ahmednagar, Municipality that of the two fire engines, one was out of order on the 18th September. If the second fire engine was out of order for some long period it would be a matter for the local civic authorities to deal with. We also got it from him that the military has got four fire trailer engines and the Cantonment has one fire fighter. No attempt appears to have been made for borrowing any of these fire fighting machines from these authorities. Though several fires took place during the night of the 18th and the 19th September, only one fire brigade worked that night and could reach a particular place after the fire had done damage.

8.40 The timings of when the fire brigade was informed about a certain fire and when it actually reached the spot and the time taken in extinguishing a fire, as noted in the register are far from being correct. It appears that the timing had been noted at random and that the mistakes were not due to wrong estimates of time when the entries were made on the day following. We have mentioned about these discrepancies at a few places while dealing with the incidents. It may be mentioned that from all accounts the fire brigade was first summoned to fight the fire at Ghodepir. The entries show that it was sent to Takari Masjid at 9-50 p.m. and reached there at 10 p.m.

## CHAPTER IX

### Rehabilitation

9.1 Damage to property was fairly heavy. Some cases have been received from 50 persons and two applications were for loans. List received from 50 persons and two applications were for loans. List of applicants who suffered damage alongwith estimated damage is at Annexure VIII. Out of these 50, 29 were for grant of compensation for repairing places of public worship and 21 from individuals. The loss suffered by some of the individuals has been fairly heavy as in the case of Habib Bakery where even the Tehsildar has put down the loss at Rs. 20,000. Gratuitous relief was paid in 15 cases which was very nominal in some cases. The Habib Bakery man got Rs. 500 from the Collector and Rs. 500 from the Commissioner. Two cycle shops were damaged. They both got Rs. 500 each.

9.2 So far none has got any compensation. The Collector had recommended to Government for orders regarding compensation, rehabilitation loan or subsidy in his letter No. DC.WS.III.1134/68 dated 4th April 1968 but no reply was received till 28th October 1968 and then government informed the Commissioner that by then people must have rehabilitated themselves through their own resources and if not, revised proposals covering the cases of absolutely needy persons and limited to minimum immediate needs, might be submitted for consideration. This nattitude has been harsh on the innocent sufferers of the riots in spite of the fact that proper inquiry about loans to them was made promptly.

9.3 It may be noted that the Collector sent revised proposals to the Commissioner on the 6th November, 1969 and out of all the sufferers recommended a loan of Rs. 5,000 to the owner of the Habib-Bakery only.

9.4 He did not recommend any loan to the management of the mosques, Dargahs and Pirs as, in his opinion, the claimants had not suffered any loss individually. This does not appear to be a sound criterion for refusing help needed to restore the damaged properties.

## CHAPTER X

### Causes

10.1 The communal disturbances on the 18th September, 1967 at Ahmednagar were a sudden eruption as a result of the disfigurement of the idols at the Markandeya Temple situated at the Gandhi Maidan. The emotional excitement of the Hindus at finding the idols broken is understandable but the course of the disturbances discussed earlier cannot be explained merely by the natural emotional excitement. Historical reasons which have been a special cause of bitterness between the two communities there seem to have goaded the Hindus to visit their anger on the Muslim shrines at Ahmednagar. A Hindu states in his written statement:—

“It is my frank opinion that there are varied and many causes for the recent communal disturbances which took place on the 18th and 19th September, 1967. It will be wrong to suggest that these disturbances were the result and the outcome of some immediate and provocative act on the part of the Hindu residents of Ahmednagar City.....

The last but not the least reason is the problem of Pir, and their removal by the people. Ahmednagar is the only city which is infested with so many Pirs (Graves) in the open streets. One of the graves known as Ghodepir is the main bone of contention in the city.”

10.2 As noted earlier, out of 38 mosques and 49 pirs and durgahs at Ahmednagar, eight mosques and pirs were set on fire and 12 mosques and pirs were described. There had been looting in some cases. Some of these Pirs and durgahs cause obstruction to the traffic on the road and as such, have become an eye-sore to many. Attempts are made to extend them when they are repaired or improved. Some of the Hindus appear to be more active in getting some of the pirs and durgahs on the road removed even though the Hindus also worship some of the pirs. The question of removal of these pirs is also affected by political considerations. The Muslims naturally object to any such attempt. For the sake of securing votes, it is alleged that some political parties object to the municipality taking action, which it can take under the law, for the removal of such pirs which are an obstruction to traffic. Special mention in this connection is made with respect to two pirs, Ghodepir and Syed Baba Durgah on the open land where the Sub-Jail Road, the road from Do-Boti-Chira, Juna Mangalwar Bazar Road and the Municipality Road meet. We have already referred to a representative civil suit being filed in connection with Ghodepir. With respect to the other durgah, it is stated in the written statement filed by Shri G. R. Gaikaiwar:—

“The construction of Pir near Sub-Jail is also dangerous. In respect of this Pir, not only the citizens have preferred appli-



cations but prosecution of unauthorised construction was filed by the Municipality, wherein the persons concerned were fined but the structure still remains there."

10.3 Syed Abdur Rahim has stated in this connection:—

"There are about 10 Pirs or graves on the main roads in Ahmednagar. The move to remove the pirs from the roads has been started by the Jan Sangh a few years ago. In some cases the Municipal people also desire the removal of the Pirs in order to widen the road. The Pirs on the roads are there before the construction of the roads. There are some cases in which Pirs are damaged and they are repaired but the repaired Pirs occupy a larger area. At present a suit is pending regarding the repairs of Ghodepir.

No Peer or Dargah has been built or attempted to be built during the last two years. It is not possible to shift the sites of Peers and Dargahs."

10.4 Even the government officials have expressed in their statements the inconvenience caused by certain pirs and durgahs to traffic. D.I.G. Pradhan states in his written statement:—

"They are all over the city and are so situated that some of them cause obstruction to normal traffic on the road. This leads to friction between the communities when the customary religious processions, as in Ganpati festival, pass along the mosques and dargahs."

10.5 S.P., Shri Thakur, has stated in his written statement:—

"He (Shri L. S. Pawar, Hindu Maha Sabha) was seen busy in collecting certain records about the construction and ownership of Panchpeer Durgah which was being unauthorisedly constructed by the Muslims and which was a sort of encroachment on the Municipal road. The construction of this Peer was stopped by the Municipality. However, preventive action was taken in this respect. Shri L. S. Pawar was likely to agitate over this issue only if the Municipality gave permission to its construction. The Municipality did not take any decision in this respect and consequently L. S. Pawar's activities in this respect were quietened."

10.6 Shri Pradhan, D.I.G., has stated in his written statement:—

"Shri L. S. Pawar, a local Hindu Mahasabha worker, had declared his intention to start indefinite hunger strike over the issue of reconstruction of Ghodepir dargah during the Ganapati festival, but on persuasion by the local authorities he abandoned his plan and promised them to resort to legal course."

10.7 According to Inspector Purandare also. Pawar's conduct was in connection with the demolition of Ghodepir.

10.8 The D.M. stated in his written statement:—

“The encroachment of the shrines on the roads has been an eye-sore to many. In the past few years, some shrines are said to have been expanded and this has added to the bitter feelings.”

10.9 The D. M. deposed before us:—

‘Whenever any move is made to remove such Pirs, political leaders exert themselves against this possibility to win the Muslim votes.’

10.10 Shri Balkundi has stated in this connection:—

“During my investigation about the case I had to make confidential enquiries. People were not prepared to disclose their names, when using the information. I learnt that the feelings of Hindus were very bitter against the Muslims on account of the existence of Peers and Dargahs on the roads. Their complaint was that some Peers and Dargahs had been extended and enlarged. New Peers have also come up. The authorities have done nothing against them. They might have a record of the Peers and their sizes. They also complained that the authorities have removed certain temples but took no action against Peers and Dargahs.”

10.11 It is not, therefore, surprising that the anger caused by the disfigurement of the idols at Markandeya Temple led some Hindus in the crowd gathered near the temple to attack the Hyder Shah Durgah very close to the Markandeya Temple and later on to attack Ghodepir and other Muslim shrines in the city.

10.12 The D.M. deposed before us:—

“The disfigurement of the idol at the Markandeya Temple on 18th September 1967 might have led the people to attack these Pirs with a view to remove them but their fury was greater against the mosques, several of which were set on fire and an attempt was made to bring down the minarets of some. This indicates that they were mostly stirred on account of the disfigurement of the idol more than on account of the existence of the pirs and dargahs.”

10.13 Another factor which seems to have aroused the temper of the Hindus may be the previous incidents of desecration of idols at Ahmednagar and elsewhere.

10.14 The first incident about desecration of a temple at Ahmednagar appears to have taken place in 1964 when an idol was removed from the Hanuman Temple. The matter was settled by both the communities meeting together and re-establishing the idol. The Muslims even offered to pay Rs. 101 as donation. This indicates efforts at rapprochement between the two communities. The relations of the two communities seemed, however, to have been

adversely affected by the incident. A Muslim witness has stated in his written statement:—

“On 24th February 1964 an idol from a small temple situated in the Juna Bazar locality of Ahmednagar City was found to be missing, on suspicion eight boys of tender ages were arrested. Six were Muslims and two were Hindus. The fact that the two Hindu boys were arrested was suppressed and the news of arrest of six Muslim boys was flashed in the newspapers. No sooner this news was published, the local Muslim leaders issued a statement on 28th February 1964 condemning the mischievous act of the culprits who stole the idol from the temple. A joint meeting of the Hindu-Muslim communities was also held on 29th February 1964 at Telikhunt Chowk, Ahmednagar, which was attended by a large number of citizens and was presided by Shri K. S. Forodea, ex-Speaker of Bombay Legislative Assembly.....Another such meeting was held on 2nd March 1964 in Sherkargalli, Maliwada which was presided by Shri G. R. Gaikawari, Advocate, President of Hindu Maha Sabha of Ahmednagar District. The Muslims presented a donation of Rupees one hundred and one only for the reinstallation of the idol but it was not accepted....However, due to efforts of Muslims, the calamity was avoided and peace was controlled. On 15th March 1964 the local Hindus carried a procession to instal new idol through the main roads of the city. The processionists were making slogans of Muslim murdabad and etc., etc. I attended the procession and tried to control the communal elements by taking risk of my life and hence the situation could be controlled..... The point is in spite of settling terms with the other community to preserve peace, the other party did not keep up the assurance and the situation was in trouble. Muslims were betrayed. The daily Sakal of Poona had complimented Muslims on this occasion *vide* Sakal editorial dated 2nd September 1965. ....”

10.15 A Hindu witness has stated in his written statement in this connection:—

“So far as Ahmednagar city is concerned these things were going on since 1964. In the year 1964 Idol of Maruti (Hanuman) in a temple in Maliwada locality of Ahmednagar city, disappeared and on investigation it transpired that some minor Mohammedan boys had removed the Idol and buried it in a dunghill. The boys were prosecuted. It is learnt that in the inquiry, it was noticed that there were some instigators. Those Mohammedan instigators.....the names of them can be known if reference is made in Police record. It was necessary to check the evil tendencies then and there by bringing the instigators to the book, which was not done.

A joint public meeting of Hindus and Mohammedans was held in Ahmednagar city and I along with others addressing the meeting told the Mohammedan public not to fall prey to the anti-national instigators and see that the peace in city is maintained. The Idol of the Hanuman defiled by the Mohammedans

was again installed by the Hindus and I took personal exertions to see that the procession carrying the new Idol of Hanuman for installation was peaceful."

10.16 The same witness has further stated in his written statement:—

"The immediate cause for the excitement of the feelings of Hindu society, on the face of it is the disfigurement of the idols in the Markandeya Temple; but this is not the only cause, but chain of such instances which took place in the Ahmednagar city and District and elsewhere, which were the instances of idol breaking, disfigurement and defiling of the idols of Hindus."

10.17 We got a statement from the D.I.G. of Police (CID), Maharashtra, about the cases of desecration of temples, mosques, durgahs and pirs etc. of Hindus and Muslims for the years 1965, 1966 and 1967 in the Maharashtra State. The statement furnished shows that 100 such case were with respect to temples and 77 such cases were with respect to mosques and other shrines excluding the incidents of desecration of mosques etc. in Poona during the riots in 1965 and in Ahmednagar during the riots in 1967, these numbers being 69 cases at Poona and 30 cases at Ahmednagar. Year-wise breakup of these incidents is as follows:—

	Hindu places of worship	Holy places of Muslims	
1965	45	41	(excluding incidents at Poona city in September)
1966	33	15	
1967	22	21	(excluding incidents at Ahmednagar in September)
TOTAL	100	77	

10.18 The report from the D.I.G. of Police in this connection mentions that of the 100 cases of desecration of Hindu places of worship, Muslims were found responsible in 21 cases and Hindus in 13 cases. Of the 77 incidents of desecration of holy places of Muslims, Hindus were found responsible in 12 incidents. In one case a Muslim boy was caught red-handed while removing stones from a durgah. The fact that some Hindus were found responsible in some cases for the desecration of Hindu Temples or some Muslims for the desecration of Muslim Holy places, even if known to people, would not be taken into account at a time of the upsurge of anger over a case of desecration and people of the injured community would instinctively jump to the conclusion that the other community was responsible for the desecration.

10.19 Out of the 45 cases of desecration of Hindu temples, reported in 1965, five cases are not of mere damage to the idols of the temples but of committing nuisance by way of easing and urinating. In one of the cases at Achalpur (Amravati), a Muslim eased on the Hindu deity in a temple, and when he was accosted by two Hindus, he assaulted one of them with an axe. In Lonavala, in August 1965, a Muslim urinated in the Maruti temple. In Taloda (Dhulia) in August 1965, three idols in a temple were defiled. In Poona city the trident from the Ganesh idol was removed and nuisance was committed by

a Muslim near the idol. In December 1965 at Ichalkaranji (Kolhapur) human excreta was found on a Mahadeo Pindi. In three cases, the Muslims were convicted. The other two cases remained undetected.

10.20 In 1966 again there were four such cases out of 33. On the 25th September 1966 at Ahmednagar human excreta was found thrown at an idol installed in Burud Lane. Similar incidents took place at Satara on the 1st November and again at Sholapur on the 20th December. In November, 1966 a Muslim was alleged to have urinated in the premises of a temple at Mardi in Sholapur District.

10.21 In May, 1967 Shani idol at Sheogaon (42 miles from Ahmednagar) was broken. On 15th November, 1967, human excreta was found thrown on Datta Temple at Ahmednagar.

10.22 Of the 41 incidents of desecration of Muslim shrines in 1965, mentioned in the statement in para. 10.17, 23 cases took place at different places in Maharashtra, as a reaction to the incidents at Poona where the riots broke out on the 1st September, 1965, as a result of the incident of the removal of the trident from the Ganesh idol and the committing of nuisance near it during the Ganapati festival. During the disturbances at Poona between the 1st September and 10th September, 29 mosques and 40 durgahs were either damaged or set on fire. These cases took place between the 2nd September 1965 and the 16th September 1965. Five other cases also took place in different places between the 5th and the 17th September 1965. These also might have been on account of the reaction to the Poona disturbances. Out of the 23 cases, three cases took place in Ahmednagar district and one in Ahmednagar on the 5th September, 1965. It may be mentioned here that ten incidents of desecration of the Hindu temples between the 3rd September 1965 and 19th September 1965 were also reported to have been due to the repercussion of the incidents of desecration of the Ganesh idol at Poona on the 1st September. Out of these, 3 cases took place in Ahmednagar district.

10.23 Of the 15 cases of desecration of Muslim shrines in 1966, four cases between the 3rd October and the 8th October in different places are said to have been the reaction to the desecration of the Hindu idols in Bhir on the 1st and 2nd October 1966. Two cases took place at Ahmednagar on the 28th September 1966 during Ganapati procession when the Hindus were alleged to have thrown stones and chappals at Kagad-Kuta Dargah and later on damaged Chodepir Dargah.

10.24 The first case in 1966 was the forcible entry by the Hindus into a mosque to establish their claim over it and took place on the 29th August 1966 at Mardi in Sholapur district.

10.25 Of the 21 cases in 1967 of desecration of Muslim shrines, four incidents took place at Sholapur and two in Sholapur district as a reaction to the stoning of the Ganapati procession at Sholapur on the 17th September, 1967 and four cases as a result of the reaction to the disturbances at Ahmednagar following the disfigurement of the idols in the Markandeya Temple. In August 1967 a mosque was damaged in village Kharda about 60 miles from Ahmednagar.

10.26 We have given these details to emphasise the resentment of the people as a result of desecration of the shrines they were interested in. The incident at one place is shown to affect the relations between the communities at other places due to the publication of the news of the incident. D.I.G. Pradhan has deposed in this connection:—

“Quite a large number of cases of desecration of idols as well as of mosques were reported during the year (1967) from the various parts of the State prior to Ahmednagar incident. All such desecration had not led to riots. It is the importance of the idol desecrated which affects the sentiments of the people and at such times, people come to riots.”

10.27 Shri S. A. Pathan states that the fraternal and friendly communal relations at Ahmednagar get strained only on the occasion of festivals or when news of some disturbances in other places reaches the city. Shri M. N. Patil has also deposed practically to the same effect.

10.28 The news of the incidents of Sholapur on the 17th September 1967 reached Ahmednagar on the morning of the 18th September. The news does not appear, according to the statements of government officers, to have ostensibly created any resentment among the Hindus at Ahmednagar but the incident of the disfigurement of the idols at the Markandeya Temple that evening must have been viewed by the Hindus in the light of the incidents at Sholapur the day before and possibly also in the light of the other incidents which had taken place at different places previously.

10.29 That the previous incidents did affect the attitude of the communities is borne out in the statements of the persons from the different communities before us. Several witnesses including Hindus and Muslims have given the news of the incidents at Sholapur as a contributory cause to the conduct of the Hindus at Ahmednagar.

10.30 One witness has stated in his written statement after referring to the peaceful termination of the Ganapati immersion procession at Ahmednagar on the 17th September:—

“The next day on 18th night by 9 p.m. the disturbances were suddenly burst out, as certain mischievous persons getting inspired at the news of the communal riots first started at Sholapur instigated and attempted to disfigure and destroy the idols of deities in a certain temple. Taking advantage of the darkness in the night and the faith of Hindus in deities these very persons tempted many others to gather together and swell into an unruly mob which ultimately went on from place to place attacking mosques and tombs on different streets and lanes. In one place called Maliwada this resulted in a murder of a Hindu youngster.”

10.31 This implies that the disfigurement of the idols at the Markandeya Temple was arranged by some Hindus inspired by the communal riots at Sholapur, in order to attack the mosques and tombs. A similar statement about a Hindu disfiguring the idols had been made in the written statements of three Muslim witnesses who

also described the disturbances to have been organised and pre-planned. The majority of the witnesses, however, stated that the disturbances were sudden. Such persons include Sheikh Abdul Gani, Shri S. B. Nagarwalla, Vice-President of Parsi Panchayat, Ahmednagar, Shri V. L. Abbott, Vice-President, Ahmednagar Cantonment Board and Major Sarosh K. Irani.

10.32 Ahmednagar city itself has not been absolutely free from communal trouble. In 1949 riots broke out there over the kidnapping of a Hindu girl by a Muslim. The written statements of Shri Hari-bhao Diwane and Shri G. R. Gaikawari to the effect that such a riot took place in 1947, the statement of Shri Ram Dasare that it took place in 1948 and the statements of Shri E. R. Deshmukh and Shri S. G. Shelke to the effect that it took place in 1952 seem to refer to the riot in 1949, for there is no record of communal riots in 1947, 1948 and 1952. There were eight cases of communal tension, according to the District Magistrate's written statement, from 1960 till 1964, over incidents of various nature such as construction of a temple, taking out procession with music, cow slaughter etc. The incidents in Ahmednagar city between 1965 and 1967 have already been noted.

10.33 There had been some communal incidents in Ahmednagar district too. In 1946, there was serious rioting at Sangamner, Tahsil Headquarters, 60 miles from Ahmednagar arising out of clash between R.S.S. workers and local Muslim workers. In May 1967, the idol of 'Shani' in Shani Temple at Sheogaon (42 miles from Ahmednagar) was disfigured while in August 1967 damage was caused to a mosque at Kharda (60 miles from Ahmednagar).

10.34 There had been some incidents in other parts of the State also. The Government narrative states the following in connection with communal disturbances in Maharashtra during recent years:—

"With the exception of a few trouble spots, the communal atmosphere in the State has been generally healthy. The trouble spots have been Malegaon and Yeola in Nasik District; Akola, Washim and Mangrulpir in Akola District, Bhivandi in Thana District, Sholapur, Khamgaon and Malkapur in Buldana District. Normally, the trouble between the two communities arises whenever Muslims object to Hindu processions with music in front of mosques or throwing of gulal or when Hindus get incensed over illegal slaughter of cows by Muslims. There have been flare-ups following illicit connections or seductions of Hindu girls by Muslims."

and:—

"Trouble is also known to have occurred after wrestling bouts at Advad (Jalgaon) on 25th January 1961 and at Achalpur (Amravati) on 4th July 1966."

10.35 Feelings between the two communities at Ahmednagar, which are generally acknowledged to be good and cordial, do appear not to have been free from the adverse effect of the aforesaid incidents and events in the State.

10.36 There are several other factors affecting communal relations. One is the question of playing of music before mosques. Playing of

music in procession before mosques was one of the causes of communal riots in the country before 1947; and usually, playing of music was stopped before the mosques under executive orders.

10.37 The decision in 1948 (52 Bombay Law Reporter 214) of the Bombay High Court in the case instituted by the Hindu residents of village Sukur Taluka, Sangamner, of Ahmedabad district against the Mohammedan residents of the village in 1938 held that the right to play music by the processionists depended on facts, whether music is an appropriate observance or accompaniment of that particular religious or social procession subject to—

- (1) the right of other individuals to use the highway in a lawful manner, and
- (2) any orders that may be issued by the State or by the Magistrate or by the Police for the purpose of preventing breaches of public peace or obstruction of thoroughfares or other matters mentioned in section 144 Cr.P.C. or under other statutory provisions or for regulation of traffic and for maintaining law and order.

10.38 A Muslim witness has stated :—

“This decision was a fatal blow to the Muslims of the then Bombay Province. It encouraged Hindus. Hindus in several cities of Maharashtra carried processions and played music in front of the mosques and tried to instigate Muslims by hurting their feelings. It also happened in Ahmednagar. The Ganapati festival was celebrated in Ahmednagar very peacefully. Even Muslims participated in the immersion procession of the Ganapati. After the decision of the Bombay High Court, referred above, the Hindus began playing music before the mosques during marriage procession. Not only that but they began abusing Muslims during such processions. This was the foundation of creating tension between Hindus and Muslims in Ahmednagar.”

10.39 It has been stated that the change of route of the Ganapati immersion procession of Ahmednagar, which according to the official statement, took place in 1955, started ill feelings between the two communities there on account of the playing of music before Kagad-Kuta Mosque and Durgah, situated on the changed route. It is said that there was no mosque along the old route.

10.40 The route was changed from Navpath Corner near the Central Bank as the changed route was wider than the lanes and the roads the procession used to pass through before. The new route avoided Ghumari Gali, Laxmi Karanja and Rangar Gali which is on the west of Gauri Ghumat. Rangar Mosque is said to be at about 50 yards from the old route of the procession.

10.41 No change was then made in the route of the Moharram procession as that lay over wider streets.



10.42 A Muslim witness has stated before us:—

“The apprehensions of trouble in the Ganapati procession started from the change of route. The new route passed along Kagad Kuta Mosque. There was no mosque on the old route. The occasion of the procession passing this mosque is fraught with danger. No change in the route of the Moharram procession was made at that time.”

10.43 He stated in his written statement:—

“This is happening since the year when the authorities, for reasons best known to them, changed the old route of the Ganapati immersion procession and made it to pass along the Chitale Road where the Dargah of a Muslim Saint and an ancient mosque are situated.”

10.44 The Ganapati procession with music passed the Kagad Kuta Mosque and Dargah peacefully and appear to have been doing so without any objection during the tenure of the district officers who had changed the route in 1955. With the change of these officers attempt appears to have been made for the procession to revert to the old route. A Hindu witness has stated before us:—

“In 1959 at the instance of the local authorities the route of the Ganapati procession was changed from a route along narrow streets to a route along wider streets along Chitale Road on which was situated a mosque. But nothing untoward happened between 1959 and 1961. In 1961 with the fresh set up of authorities a suggestion was made to revert to the old route. We Hindus objected and I filed a representative suit for a declaration of our right to take procession along the public highway, specially the new route, with music and a consequential rule of injunction against the Muslims. The suit was decreed in the lower court and an appeal in the High Court was dismissed. No trouble took place during these processions between 1959 and 1961.”

10.45 Another Hindu witness has stated before us in this connection:—

“All the same since 1962 this occasion has been a sort of headache. After the transfer of Mr. Desai (Mr. M. W. Desai, the Collector) in 1964, Muslims in the Congress stated that the procession should follow the same old route. The Hindus did not agree and a civil suit was filed in 1964 praying for allowing the procession to pass through the latter and not by the former route as desired by the Muslims and the Congress and agreed to by the district authorities. It was decreed that playing of music at this spot be not stopped.”

10.46 Trouble, however, took place before Kagad-Kuta Mosque in 1966 during the Ganapati procession. In this connection a Hindu witness has stated in his written statement:—

“In the year 1966 during Ganapati festival, there were 7 to 8 instances in disfiguring, breaking and defiling the idols of

Ganapati installed at various places in Ahmednagar city—one such idol installed in Satbhai Mala was broken. I and DSP immediately appeared on the scene and installed the idol again. Other instances of the breaking of the idols were ignored owing to the ground that they may be due to some accidents, but one such instance where Ganapati idol was defiled by throwing human excreta on it, caused great excitement in the minds of the Hindus and consequent upon these instances of defiling several Ganapati idols during Ganapati festival there was some commotion during procession of the immersion of the Ganapati on 29th September, 1966 but it was not a serious thing, yet the police have prosecuted some persons from the mob and the case is going on.\*”

10.47 A muslim witness has stated in his written statement:—

“In the year 1966, when the Ganapati procession on the immersion day reached Chitale Road, it indulged in shouting slogans against Muslims, throwing of stones, chappals, shoes and brickbats at the durgahs and the mosque at the Chitale Road. The Police on the spot tried to ask the procession to go ahead of that spot but the members of the procession did not go ahead and started throwing chappals, shoes and stones at the durgah and the mosque. The police arrested some of the members of the procession. This was resented by the members of the procession and they insisted on their release. They also played music by halting there for a long time. As a result of stone throwing etc. the District Magistrate and other Police officers and some Congress leaders were, it is learnt, injured. Then the police dispersed the crowd and the crowd went to Ghodepeer Durgah and completely pulled down the tomb of the Ghodepeer. The Muslims remained peaceful.”

10.48 No trouble took place during the Ganapati procession on the 17th September, 1967.

10.49 In this connection reference may be made to Dy. SP Bhise's statement before us:—

“Most of the devotees worshiping the durgahs and peers in Ahmednagar are Hindus. During the past Ganapati processions when they used to pass in front of a durgah or a peer, the Sabha members and others used to indulge in enthusiastic activities which had a tendency to lead to disturbance. Ostensibly they gave out that they did this because the police made elaborate arrangements to post police guards at particular spots and that made them to protest in that form. So, in 1967 the police force was not kept there but was kept at a cinema close-by and some Hindu ladies were seated in front of the Kagad Kuta Mosque and a few Policemen were kept there to guard the ladies. Only a few constables were posted there.

I took the Hindu leaders into confidence and told them that they had to guarantee the peace of that spot having shown them that there was not much of a police cordon there. So,

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\*The accused have been acquitted.

in 1967 the procession passed off peacefully without any undue action being taken by those people."

10.50 Apart from the feelings of tension between the two communities, Hindus and Muslims, on account of the existence of pirs and durgahs on the road and on account of the playing of music before mosques, the feelings got estranged at Ahmednagar also, as at other places, on account of the partition of the country in 1947. We have dealt with this question in our Report on the riots at Ranchi and Hatia.

10.51 The Hindu view was expressed by a witness thus:

"Since the creation of Pakistan those Muslims who opted for Bharat have no affection towards Bharat but they have their greatest support for Pakistan."

10.52 The same idea is expressed by other witnesses. Another witness has stated:—

"...there is a fifth-column activity in every city of Maharashtra. Muslims carry on anti-Indian propaganda and Urdu dailies also publish such material..... During the Muslim Conference at Hyderabad, there was a demand for a separate state as well."

and has further expressed his feelings that the Hindus could not tolerate Muslims slaughtering cows, kidnapping their daughters and disfiguring their idols of God and felt that Pakistan had a hand in such happenings.

10.53 A third witness has expressed in his written statement:—

"...it seems that there is a campaign by anti-national groups started to break and defile Hindu idols, to raise Pakistani flags and give Pakistani slogans."

10.54 The Muslim view as expressed by a Muslim witness may be taken to be:—

"After partition, the All-India Muslim leadership fell vacant. The political situation in the country did not provide new leadership. The communal riots, Indo-Pak conflict, aggression of China and financial crisis had collapsed the colossal structure of Muslim community. Muslims in blind faith supported the Congress party on all occasions and this was one of the reasons that the oppositions had no soft corner for Muslims. Though Muslims were the stalwarts of the Congress party but it is very unfortunate that none of the political parties including Congress in Ahmednagar condemned the communal riots duly which took place in Ahmednagar. Whenever the Pakistani leaders gave any statement against India, the situation in India became tense. Muslims had to hold public meetings and to express their loyalty towards India, as if Muslims were just like postal envelopes which required affixing stamps

of loyalty every now and then. During Indo-Pak war, poor Muslims were detained who had no political background whatsoever."

10.55 Shri Pradhan, D.I.G. of Police, an official witness, has expressed his view as to what causes riots. He stated in his written statement:—

"It is to be admitted that a communal riot is necessarily an expression of a feeling of latent hostility between the two communities. This hostility has been developed over many decades due to several factors, some of which are:—

- (1) The revivalist movements among the Hindus and the Muslims;
- (2) struggle for political power by both communities; and
- (3) active nurturing of communal hostilities by the British Government.

In addition, partition of the country came as a great blow to the people of both the communities. Hindus looked upon the partition as the vivisection of the motherland and the Muslims who remained in India felt that they were cheated as they were left behind as a result of their victory in securing Pakistan. After the creation of Pakistan, relations between India and Pakistan have not been good."

10.56 The D.M. deposed before us:—

"The communal relations between the two communities aggravated much since Indo-Pakistan war in 1965. Since the communal disturbances in 1947 in the country, there had been some lull in Ahmednagar for some years but the tension began to grow from 1962 when the conflict between Pakistan and India was developing particularly in connection with the question of Kashmir which culminated into India-Pakistan War in 1965. The opinion is based on newspaper reports throughout the country that the Muslims were sympathetic to Pakistan in that war."

10.57 In Maharashtra there had been some incidents e.g. hoisting of flags which were taken to be Pakistani flags or shouting of pro-Pakistan slogans (irrespective of the fact whether the persons responsible for them were Muslims or Hindus) which tended to support the Hindu feeling of Muslims harbouring anti-national and pro-Pakistan feelings. This appeared from some incidents in 1965 practically during the period of the Kutch incident between Pakistan and India and the Indo-Pak conflict in September that year. We got these incidents from the statement obtained in connection with the desecration of idols. Whether such incidents had taken place in earlier years, we cannot say on the basis of any reliable data as we have none.

10.58 There were nine cases of the hoisting of green flag which was taken to be or merely a symbol of the Pakistani flag. On the

19th May in Village Gunjoti in Osmanabad district, a green flag was found on a Hindu Math. The remarks column shows that the incident caused resentment among the local people and a procession of 500 was taken out to protest against the Pak attack on Kutch border. On the 4th September, 1965, a green flag was hoisted on the Ganesh Temple in a place in Satara district. On the 5th September, in village Ter in Osmanabad district, a green cloth with a crescent and star and Marathi words "Pakistan Zindabad" was placed on a Maruti idol, which was white-washed. Crescent and moon drawn in lines on another idol were also found. On the 5th September, a green flag was also found hoisted on a temple in village Mirajgaon in Ahmedabad district. On the 9th September, a green cloth with the expressions "Pakistan zi, Ayubsaheb zi, Shastri Chu Mu" was found placed before the idol of Ganapati in the Ram Temple in village Asti in Bhir district. The words "zi" and "Mu" probably stand for 'Zindabad and Murdabad' respectively. On the 14th September, in Village Latur in Osmanabad district, a green cloth was found on Shiv idol in Lingayat Math. On the 15th September, in Village Shahada in Dhulia district, a green flag was found in the Maruti Temple. On the night between the 17th and the 18th September, in another Village (village Yerrola in Osmanabad district) a green coloured flag with crescent and star on it and with the words "Pakistan Zindabad" and "Hindustan Murdabad" was noticed on the Hanuman Temple. On the 19th September, a green flag was found hoisted on a temple in Village Gunjoti in Osmanabad district, the village where a green flag was found on a Hindu Math on the 19th May as well. All these incidents took place during the Indo-Pakistan conflict in 1965.

10.59 The note submitted by Government on other communal disturbances in Maharashtra during recent years makes mention that the finding of the green flag at Mirajgaon on the 5th September, 1965 set off the disturbances there that day and also mentions of the raising of the slogans of 'Pakistan Zindabad' at Achalpur on 4th July, 1966. The note further mentions that there was considerable tension at Achalpur following a clash after the wrestling bouts and that the matter assumed greater seriousness and importance because slogans like 'Pakistan Zindabad' were raised and the police had made arrests. At Sholapur on September 20, 1966, during the passage of the procession taken out to re-install a Ganapati idol which had been found broken, through Muslim locality shouts of 'Pakistan Murdabad' led to stone throwing between the two communities and the damaging of some Muslim shops and two mosques.

10.60 We have already referred to the statement about the shouting of 'Pakistan Murdabad' by the Hindu processionists during a similar procession at Ahmednagar itself in 1964.

10.61 The statement about the campaign of hoisting Pakistani flag and raising Pakistani slogans in his written statement is alleged by the witness to be based on what happened at Srirampore (1965) in Ahmednagar District and what he had read in the papers occasionally.

10.62 Another witness has stated in connection with the Srirampore incident:—

“In this year at Srirampore, one Syed Baba Durgya was also arrested under the D.I.R. He had hoisted Pakistani flag on a mosque. He was owning a hotel which was a meeting place for Razakars and pro-Pakistani Muslims.”

10.63 According to Shri Gaikawai, news appeared in the paper on the 8th September, 1965 about the arrests of 39 Muslims in Poona on account of their alleged intrigues with Pakistan and that these persons included one who was Secretary of the Congress Committee. At Ahmednagar itself, two Muslims of Ahmednagar were detained under the Defence of India Rules on the 7th September, 1965.

10.64 A muslim witness refers to the detention of the Muslims in his written statement and states:—

“During the Indo-Pak war, poor Muslims were detained who had no political background whatsoever.”

10.65 As a witness stated that he had informed the SP, Ahmednagar about the anti-national movements, we contacted the SP, Ahmednagar to inform us about any information given by this witness about the spots in Ahmednagar city where anti-national secret meetings were held from time to time and the action taken on such reports and the result of any investigation of complaints of anti-national activities from any source, official or non-official. The replies indicate that the witness along with a Muslim gentleman met the then SP Ahmednagar and gave information about storage of arms in a mosque at Telikhunt, but on search nothing incriminating was found.

10.66. It was further reported that on the 11th September, 1965 some information from an official source was received about an official hearing a conversation going on in the air and gathering that someone near about Ahmednagar was attempting to contact Karachi and that according to the conversation, the person transmitting was broadcasting with the help of a DSB (Double-Side Band) Transmitter. A certain Muslim at Ahmednagar was suspected of having the transmitter. A watch was kept on him but nothing of interest was noticed.

10.67 Another witness has stated:—

“I have learnt from my contacts with Muslim friends that they did not feel as much hurt and as much sympathetic for India during the Indo-Pak conflict of 1965 as they felt for Arabs during the war between Israel and Arabs in 1967.”

10.68 L.I.B. Reports for the weeks ending 7th August and 31st August, 1967, show that funds were collected by Mohammedans for sending to the war-torn Arab nations.

10.69 Certain organisations have been alleged to create communal disharmony. They are Rashtriya Swayam Sewak Sangh, Hindu

Mahasabha, Jan Sangh, Majlis-e-Mushawarat and Jamait-e-Islami. It is also alleged that mosques were being utilised for secret meetings. Except for the general allegations about these bodies, there is nothing of substance to hold that their activities were instrumental in creating disturbances by causing disharmony between the two communities. We think that the District Magistrate has put the matter well in his written statement where he says:—

“The normal activities of two political groups, viz., the Hindu Mahasabha and Majlis-e-Mushawarat do seem to fan communal feelings. Apparently these groups strive for preservation and protection of the rights of their respective communities and promotion of their welfare, but their preachings do tend to create a consciousness of communal differences. Occasionally they indulge in charges and counter-charges of injustice caused by one against the other, picking out individual cases or stray incidents for the purpose. Apart from this, there is no organisation or group openly identifying itself in activities of this nature.”

10.70 We may repeat what we said in our Ranchi Report that any activities limited to the members of a particular community are, in the context of present circumstances, bound to keep any prevailing tension alive and have little chance of easing such tension.

10.71 The D.I.G. of Police stated in his written statement:—

“Normally activity of workers of communal parties occasionally tends to fan communal feelings. Since they have not much following in Ahmednagar no serious trouble has arisen as a result of their activities.”

10.72 The S.P. has stated in his written statement that Hindu Mahasabha has very little following at Ahmednagar and that its members try when an incident like the desecration of a Hindu temple takes place, to exploit the situation, give it a communal colour and thus provoke the Hindus against the Muslims.

10.73 A Muslim witness stated before us:—

“Normally the relations between Hindus and Muslims have been quite normal and cordial. In the last four or five years lectures have been held by Mahasabha and R.S.S. leaders to the effect that it was a Hindu Rashtra and others would have to live according to their likes. Such lectures did not have much effect on the people.”

10.74 Another Muslim witness after criticising the R.S.S., Jan Sangh and Hindu Mahasabha in para 8 of his written statement states:—

“Thanks to the sober element in the society here which on many occasions has succeeded in frustrating the wicked attempts of these organisations to bring about communal disruptions.”

10.75 The written statement filed on behalf of the All India Majlis Tamir-e-Millat simply states that there is a strong group of Hindu Mahasabha workers and that the persons arrested for the disfigurement of the idols in the Markandeya Temple were associated with it.

10.76 Another Muslim witness states in his written statement that he has learnt that Jan Sangh, R.S.S. and Hindu Mahasabha tried to disturb communal harmony.

10.77 Another Muslim witness states in his written statement that the most vital cause of communal disharmony is the furious propaganda of Jan Sangh, R.S.S. and Hindu Mahasabha leaders.

10.78 One Muslim witness states that there is no official branch of the Majlis-e-Mushawarat in Ahmednagar while another, on the other hand, states that there is a Majlis-e-Mushawarat but its membership is only three in Ahmednagar.

10.79 D.M. has deposed before us:--

"Majlis-e-Mushawarat was founded in 1964 and there was an office at Ahmednagar. It holds its meetings."

10.80 A witness, who is the District Assistant Secretary of the Samyukta Socialist Party states in his written statement:—

"It is a historical fact that there has never been any tension among Hindus and Muslims on religious grounds in Ahmednagar but the communal bodies like Jan Sangh, Hindu Mahasabha and some newspapers endeavour to aggravate tension. Even then there was no such incident taken place in the past."

and has deposed before us that he made this statement on the basis of the speeches made at the meetings of these bodies mainly to the effect that the Muslims were anti-national, could not be national and, therefore, had no place in the country. In reply to the question whether there was any organisation behind the riots or not, he stated in his written statement "Hindu Mahasabha always excite people but people never follow them. There are two or three workers of the Sabha in the city; neither they could organise it as yet as a powerful political body nor, as I see, will be in future."

10.81 L.I.B. reports of 16th and 23rd July, 1967 only speak of the activities of the Hindu Sudhi Sanghathan in regard to the conversion of certain persons. Shri Purandare, Inspector from the 30th December, 1966 and Shri Kanoray, Sub-Inspector from the 1st November, 1965 of the L.I.B. deposed that during their tenure there was no record of any communal activity by any organisation in Ahmednagar.

10.82 Shri Dhumane has filed Exhibit V—a copy of the newspaper on the black board by Hindu Sabha on the 1st February, 1968. It refers to the holding of the 51st Conference of Hindu Mahasabha at Baroda a few days earlier and said that if any bargaining was struck about Kashmir, Nathuram Godse would be reborn. It was said at the heading of the news item that revenge for one Parameshwari



Handoo would be taken against a thousand pretty women, referring thereby to the incident of Parameshwari Handoo being alleged to have been abducted by a Muslim in Srinagar and that in revenge, a thousand pretty women, presumably of the Muslim community would be abducted.

10.83 On 16th July, 1968, information was conveyed by Shri Kisan Balwanta Mohite to Shri Dhumane, Sr. P.S.I., Nagar City, about an incident during which a group of Muslims were shouting 'Pakistan Zindabad'. When they were told not to shout anti-national slogans, they did not listen and gave slogans such as "Pakistan was secured in laughter (laughing) Hindustan will be conquered by giving battle." Shri Dhumane enquired into the matter and finding truth in it, lodged the F.I.R. (Exhibit VI) on this basis in the police station against those persons for offences under various sections including an offence under section 124-A.

10.84 Shri Kanoray has deposed that L. S. Pawar publishes news on a black board but not in a manner as to inflame communal feelings and that of the different bodies, the Jan Sangh works mostly in the political field and that the Hindu Mahasabha which appeals to the Hindus on communal basis has no strong following and its speeches are not provocative against any other community.

10.85 One witness was of the opinion that communal trouble could be attributed to possible anti-national Pakistan lobbies and to the vote catching attempts of the political parties. That politics has much to blame in this connection is also the view of a few other witnesses. Another witness said before us that the probable reasons and causes for the communal disturbances in Ahmednagar, referred to by him in his written statement, were the result of the circumstances following the partition of the country in 1947 and that—

"In short, it is the politics which is the root cause of the communal riots in Ahmednagar."

10.86 Still another witness has stated before us:—

"On account of the feelings of Hindus considering the Muslims to be anti-nationals, the campaign of idol breaking and the bitterness about the existence of obstruction caused by pirs and their extension, the Hindus lost their patience on the 18th September on the spreading of the news that the Markandeya idol had been damaged and defiled—and all this may be said to be due to politics. So far as the masses of the people are concerned, they may be said to be quite indifferent to these matters."

10.87 One witness has expressed his definite opinion before the Commission that there exists, though in a suppressed form, the feeling of bitterness among the Hindus against the Muslims on account of slaughtering of bulls and that though this feeling does not affect the normal relations between the two communities, it is responsible for the occurrence of violence on a wider scale on some occasions when some immediate cause of grievance happens to arise.

10.88 Some allegations were also made about certain newspapers publishing the news of the Sholapur incident in a glaring form. We looked up some of these papers but do not find anything particular in the mode of display of news about the Sholapur incident. Anyway, it has already been stated that there was no ostensible sign of resentment among the Hindu community at Ahmednagar during the day of the 18th September, 1967.

10.89 Some suspicion has been expressed against the Muslims holding meetings in mosque. A witness has stated before us:—

“Since the Poona riots of August 1965 I had been noticing that the meetings of the Muslims had been going on at prayer time in different mosques. Most of the meetings were conducted in Chitle Road Mosque, Chand Sultana Mosque and Kotla Maidan Mosque. The damaging of idols were in furtherance of some designs evolved there. I had been informing the Police about these meetings.

The meetings at the Chitle Road Mosque are organised by the Mushawarat and therefore I have mentioned that the possibility of inspiring the Muslims is not being ruled out in creating the disturbances.”

10.90 Another witness states that Muslims mostly meet in mosques and that this does arouse suspicion among the Hindus that they are against them. A Muslim witness, however, states that no one is allowed to lecture in the Ahmednagar mosques and that the Muslims do not use the mosques to discuss outside matters.

10.91 To sum up, the disturbances at Ahmednagar were sudden and arose on account of the disfigurement of the idols at the Markandeya Temple. Whoever did it, must have been conscious of the fact, in the light of the various circumstances mentioned above, that his act could lead to communal trouble and he could, therefore, be taken to have been led into action by the Sholapur incident the day before. It has been suggested by some Hindu witnesses that the disappointment felt by the Muslims at the peaceful termination of the Ganapati procession on the 17th September led some Muslim to disfigure the idols. This, however, does not appear to be a strong reason for anyone to take an action which would lead to such communal disturbances.

## CHAPTER XI

### Recommendations

11.1 The disturbances at Ahmednagar were held to be due to the emotional excitement and resentment of the Hindus as a result of the disfigurement of the idols at the Markandeya Temple. No recommendation is possible to prevent such a sudden incident. We have already said that whoever disfigured the idols must have known of the possibility of the consequences. The administrators are taken by surprise whenever such incidents occur and it naturally takes some time before they can deal with the situation. The ordinary police force at their disposal would always be found to be inadequate for such a contingency as normal establishments based on normal requirements.

11.2 What leads a person to commit such an act must have its roots in the general state of feelings of animosity or discord between the two communities. The reasons for such feelings may be purely local or may, in these days, be of a wider nature. So far as the local causes are concerned, for instance, in Ahmednagar the feelings against the presence of certain pirs and dargahs on the roads, can be locally tackled by sensible people of both the communities aided by the district authorities. The underlying cause of bitterness between the communities is, as has been said in the Ranchi Report, the mistrust existing between the two communities since 1947 when the partition of the country took place. We have already mentioned certain particular incidents in Maharashtra which must have tended to increase this mistrust rather than to allay it. We have said in the Ranchi Report what can be done to remove this mistrust. (Extract No. 1, Annexure IX).

11.3 In this connection we may refer to the views of Mr. Pradhan, D.I.G., Mr. Ranadive D. M., and Mr. Thakur, S. P., expressed in their respective written statements.

11.4 The D.I.G. referred to the usual causes for communal disturbances and stated in the written statement:—

“Under these circumstances one has to come to a conclusion that due to this process of polarisation of Hindu and Muslim communal forces these issues are being exploited for increasing the tension and, therefore, the only unpleasant conclusion that could be drawn is that communal riots are inevitable and no amount of routine preventive measures could ever be looked upon as a sure remedy for averting these riots and therefore if we want to avert these riots we have to consider this problem in all its aspects and take concrete measures to avert riots and that these measures should be implemented with firm determination.”

## 11.5 The D. M. has stated:—

“Unlike in the past, communal trouble is raising its head unexpectedly and without an occasion. It was easier for the administration to prepare in advance to meet the situation in the past when communal disturbances could be anticipated on certain fixed occasions. In the recent past sporadic acts indulged in by irresponsible elements not necessarily connected with any organisation or group of people have also led to trouble. There are also grounds to believe that on some occasions provocation was self-created. Added to this, is a growing section of economically frustrated population which is too willing to join any affray of this sort. The communal harmony itself has been restricted more or less to the relationship between individuals. By and large, as the course of events would show that the two major communities of this country do not seem to enjoy mutual confidence. The problem of preventing communal trouble has thus become extremely complex. It is evident that efforts will have to be mainly directed towards establishing mutual confidence between different communities.”

## 11.6 The S. P. has stated:—

“Past experience shows that incidents of communal nature flare up suddenly over incidents of molestation of a girl of one community, by the persons of other community, defiling of an idol, cow slaughter etc. Such disturbances are really speaking unpreventable, so long as general communal atmosphere in the country does not improve.”

11.7 The establishment of Peace Committees on a more or less permanent basis has been generally recommended. A Peace Committee already exists at Ahmednagar but according to the evidence, it usually comes into operation when the trouble starts and mostly after the trouble had ended. It does not work during the period of normal relations so as to prepare the people for not reacting violently to any provocative incidents which may happen elsewhere or locally and also allaying tension at the time of festivals. We would suggest that Peace Committees should consist of people of all communities and should work regularly in educating the people in general, about the demands and requirements for secular democracy, in propagating the feeling of brotherhood among them and taking precautionary steps about any matter which is likely to lead to trouble. The Peace Committees should be active during the period of trouble, should be taken into confidence by the officers and should be fully utilised in checking the spread of mischievous rumours. The Committee should utilise all media of mass communication for carrying out its objective.

11.8 A suggestion has been made that communal leaders, whether they are elected representatives in the legislatures or local bodies, or are representatives of communal parties or heads of political organisations which are essentially communal, should under no circumstances be allowed to function in the Peace Committees. The

persuasive force of the entire body of the Peace Committee, whose members are expected to be sensible persons, should suffice to sober down such members, if any, on the Committee and should succeed in making them look at the matter in a somewhat reasonable way.

11.9 It would not be out of place at this stage to quote what Major Irani has stated in his written statement. He states:—

“My opinion is that today the public have lost faith in the leading citizens of the town and the leaders. There are many reasons for this and some of them are unemployment, poverty, fanaticism etc. It is up to us as leading citizens of the town to regain the trust and faith of the masses amongst ourselves and the government. Everyone of us should try hard to achieve this object.”

11.10 Suggestions have been made for tackling the matter socially, e.g., associating members of both the communities in religious festivals, educating people specially women in secular values, holding seminars and arranging publication of articles in magazines and periodicals in order to bring about more tolerant and secular attitude among the people. We, however, doubt how far these suggestions good in theory would work out in practice. Anyway, it would primarily be the function of the local Peace Committees to educate the people in their area in tolerance and broad mindedness. The prime condition for the non-recurrence of such incidents is the realisation by the people themselves of not only the utter futility of violence but of the great damage they are likely to cause thereby not only to the persons affected but to the entire nation.

11.11 The main cause for the ill-feeling between the two communities in Ahmednagar is the existence of pirs and dargahs on the public roads, causing obstruction to normal traffic. We understand that there is a definite and unambiguous provision of Islam that grave should be respected and not disturbed till 30 years at the end of which their sanctity comes to an end. Graves of renowned personages or divines are excepted but in such cases the identity of the person buried must be clearly established before their graves can be allowed to remain undisturbed in spite of their interference with traffic or their being against public interest. However, the question of the removal of graves would raise sentimental and emotional reaction and the leaders of both the communities should get together and settle this question amicably. If any amicable settlement be not possible, suitable administrative action may be taken. All the same the authorities must be firm in seeing that no extension in the area of existing pirs and dargahs on public roads takes place and that no new pir and dargah comes into existence on public roads.

11.12 A suggestion has also been made for altering the route of the Ganapati procession. The present route has been in existence since 1955 and there seems to be no good reason why it should be altered. The right to play music in certain circumstances by the processionists before mosques has been established in court. It is for the authorities to see that peace is not disturbed by taking such steps as may be considered necessary on such occasions.

11.13 The question of music before mosques, according to the witnesses, has lost its significance in Ahmednagar. Of course, the processionists too should not play music in any abnormal manner when passing by any mosque. Doing so can be provocative and can lead to trouble.

11.14 Diametrically opposite suggestions have been made in connection with the teaching of religion in schools and colleges. One view is that there should be a compulsory study of all the basic principles taught by all religions. The other view is that religious instructions of any type should not be permitted in school premises during or after school hours. We are of the opinion that moral instruction based on principles and the common points of agreement in all religions would be of great value in imparting a sense of ethical values to the rising generation.

11.15 We do not agree with the suggestion that Ministers in the States and at the Centre should not be allowed to make contributions or donations to any religious bodies or places and they should abstain from participation in religious rites in temples and mosques. Even Ministers should have freedom to practise their religious beliefs and observances.

11.16 With respect to the suggestion for the banning of communal organisations we have expressed our opinion in the Ranchi Report (Extract No. 2, Annexure IX).

11.17 Shri Pradhan, D.I.G. of Police, has suggested that leaders of communal parties should not be permitted to hold unofficial enquiries into communal riots. We share his sentiment, as, in our opinion, non-official enquiries conducted by communal organisations are not likely to do much good but are likely to cause harm. Their reports would mostly be based on the statements of members of the community to which the organisation belongs. The reports in such circumstances are not expected to satisfy both the communities. There is also the risk of their reports arousing once again the feelings of one community against the other.

We have the impression that the reports published by many unofficial committees of enquiry into communal disturbances leave much to be desired. It should be left to the State which is responsible for 'law and order' to have a public enquiry made in suitable cases.

11.18 It has been suggested that no bargain should be struck to get votes from Muslim samaj. We see no good reasons for restricting the suggestion with regard to Muslim samaj only. No bargain made to get votes from any organisation or class of people. We have already said in our Ranchi Report that the political parties should change their attitude in approaching the people for their gain, especially at elections, that they should not exploit communal or caste feelings for their purposes and that no political, economic or cultural issues should be discussed and that no political, economic or communal angle, as communal harmony should be taken to be too sacred to be tampered with for mere political gain.

11.19 Communal activity or anti-national activity by anyone should be firmly dealt with under the law by the State irrespective of the party responsible for such activity.

11.20 We have already dealt with in the Ranchi Report the question of text books and history books (Extract No. 3, Annexure IX).

11.21 On the administrative plane many suggestions have been made:—

- (i) There is agreement that all persons irrespective of their caste, creed, colour and position having directly or indirectly a hand in the riot, should be brought to book and that the guilty people should be dealt with with a heavy hand.
- (ii) There has also been general agreement among the non official witnesses that the secular policy of government should be faithfully implemented, though persons from each community put it differently. For the Muslims, it has been said that the impression that the Muslims are the second grade citizens be wiped off. For the Hindus, it has been said that the Mohammedans should not be given undue advantages by the administration on the ground that they are a minority community, that the government should not adopt an appeasing policy towards them, that no favouritism be shown to anyone and that both the communities should get an equal and fair deal. The action of the authorities should, therefore, be such that its fairness and justice cannot be open to question.

11.22 We agree with the two suggestions of Shri Pradhan, D.I.G. of Police:—

- (i) the question of deterrent punishment to the accused in communal riots should be considered by introducing some special section in the Indian Penal Code; and
- (ii) a special sub-section may be introduced in section 110 of Cr.P.C. to deal with the instigators of communal situation and tension as it is not possible to take resort to section 153A of the I.P.C. against inflammatory speeches couched in guarded words. Repeated writings and utterances considered as a whole could be used for taking action under section 110 of Cr.P.C.

11.23 Shri Pradhan has also suggested about abrogating religious civil laws, implying thereby that there should be common civil laws. The suggestion is good but there are bound to be difficulties to do this in the present circumstances.

11.24 Both the D.I.G. and the District Magistrate are of the opinion that riot cases should not be withdrawn even on such pleas by interested groups *intra alia* that the withdrawal would help in restoring friendly relations between the communities. We agree with this and have made a similar suggestion in our Ranchi Report (Extract No. 4, Annexure IX).

11.25 We also agree with the suggestion that collective fines be imposed at all places where communal riots occur and that punitive police be also posted in the areas.

11.26 Some compensation should be paid to the victims of the riots. Such compensation would rehabilitate the sufferers for the damage caused to them.

11.27 We, however, do not agree with the suggestion that facilities be made available to the Mohammedans to defend themselves till the government protection goes to their rescue. We really do not understand what facilities are required in addition to the right of self-defence within the laws.

11.28 We have already expressed our disapproval of the suggestion that local officers be held responsible for the riots and have dealt with this question in our Ranchi Report (Extract No. 5, Annexure IX).

RAGHUBAR DAYAL,

*Chairman.*

B. H. ZAIDI,

*Member.*

M. M. PHILIP,

*Member*

NEW DELHI;  
Dated 2nd March, 1970.



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**ANNEXURES**

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## ANNEXURE I

*List of persons/ Organisations who submitted affidavits/Statements on the Communal Disturbances which took place at Ahmednagar on 18th September, 1967.*

(Para. 1.9 of Part I)

S. No. Name and Address

### A.—AFFIDAVITS

1. Syed Abdur Rahim,  
Contractor and Landlord,  
Ahmednagar.
2. Shri M. N. Patil,  
Advocate,  
Jail Road,  
Ahmednagar.
3. Sardar Khan Amir Khan Pathan,  
Advocate, Surjapura,  
Ahmednagar.
4. Shri Shaikh Abdul Gam,  
Court Gali,  
Jumma Masjid, Ahmednagar,  
Orphanage Boarding,  
Ahmednagar.
5. Sayyad Hajaratgula Mangalbaba,  
Priest, Gauri Ghumat,  
Anandi Bazar,  
Ahmednagar.
6. Shri D. D. Ranadive,  
then District Magistrate, Ahmednagar,  
now Commissioner,  
Sholapur Corporation,  
Sholapur.
7. Sori S. S. Thakur,  
then Superintendent of Police, Ahmednagar,  
now Commandant, Maharashtra State,  
Reserve Police Group VI,  
Nagaland.
8. Shri V. G. Dhumane,  
Police Sub-Inspector,  
Ahmednagar City Police Station,  
Ahmednagar.
9. Shri V. G. Bhise,  
Sub-Divisional Police Officer,  
Ahmednagar.
10. Shri P. N. Joshi,  
Police Sub-Inspector,  
Ahmednagar City Police Station,  
(now at Karjat Police Station)  
Ahmednagar.

<i>S. No.</i>	<i>Name and Address</i>
11.	Shri N. M. Pawar, Sub-Inspector of Police, Nagar Taluka Police Station, (now Rahuri) Ahmednagar.
12.	Shri P. B. Kanoray, then Sub-Inspector Local Intelligence Branch, now Sub-Inspector, Uran Police Station, District Kolaba.
13.	Shri S. S. Nimbalkar, then Sub-Inspector, Ahmednagar, now Sub-Inspector, Dhulia City.
14.	Shri S. J. Kamat, then Sub-Inspector of Police, Ahmednagar, now Sub-Inspector, Dhulia City.
15.	Shri S. V. Gadre, Sub-Inspector of Police, Ahmednagar.
16.	Shri H. R. Joshi, II Police Sub-Inspector, Ahmednagar City Police Station, Ahmednagar.
17.	Shri M. S. Purandare, Police Inspector, Local Intelligence Branch and Local Crime Branch, Ahmednagar.
18.	Shri A. K. R. Jamadar, then Police Inspector Administration, Ahmednagar.
19.	Shaikh Ibrahim Isa, Police Inspector, Ahmednagar.
20.	Shri S. G. Pradhan, Dy. Inspector General of Police, Bombay Range, Nasik.

## B.—STATEMENTS

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| 21. | Dr. V. V. Kulkarni, MBBS,<br>258, Sadar Bazar,<br>Ahmednagar Camp.     |
| 22. | Shri O. P. Marwaha,<br>House No. 311, Sadar Bazar,<br>Ahmednagar Camp. |

<i>S. No.</i>	<i>Name and Address</i>
23.	Shri V. L. Abbott, Vice President, Ahmednagar Cantonment Board, 9, Hunter Road, Ahmednagar Camp.
24.	Dr. S. T. Mahale, District Secretary, Praja Socialist Party, Bhagwat Building, Anandi Bazar, Ahmednagar.
25.	Shri V. D. Wakchawre, President, Ahmednagar District Republican Party Ahmednagar.
26.	Shri H. B. Somani, Advocate, Ahmednagar.
27.	Major Sarosh K. Irani, Kings Road, Ahmednagar.
28.	Shri T. Barnabas, Principal, Ahmednagar College, Ahmednagar.
29.	Shri S. M. Kulkarni, Principal, Premraj Sarda College, Ahmednagar.
30.	Shri P. R. Pimpalkhane, LCPS, District Kapad Bazar, Ahmednagar.
31.	Shri R. T. Majumdar, B.A., LL.B., Advocate, Chairman, S. T. Mazdoor Sabha, Ahmednagar.
32.	Dr. S. C. Ranade, Ahmednagar General Hospital, Ahmednagar.
33.	Shri Gopal Kashinath Mulay, 487, Mahatma Gandhi Road, P. O. Bhingar, Ahmednagar District.
34.	Shri H. V. Diwane, Delhi Darwaja Ground, Ahmednagar.
35.	Shri Sudhakar Govind Shelke, Gujgali, Ahmednagar.
36.	Shri Rahim Quraishi, Executive Member, All India Majlis-Tameer-e-Milla, Madina Mansion, Narayanguda, Hyderabad-29.

S. No.

*Name and Address*

37. Shri V. V. Mirikar,  
Advocate High Court,  
Court Gali,  
Ahmednagar.
38. Shri R. M. Zarkar, B.A., LL.B.,  
Advocate and District Secretary,  
Bharatiya Jan Sangh,  
Anandi Bazar,  
Ahmednagar.
39. Shri G. R. Gaikawaiari,  
Advocate,  
President District Bar Association  
and District Hindu Sabha,  
Ahmednagar.
40. Shri P. K. Bhapkar, M.A., LL.B.,  
Vishraum Baug,  
Ahmednagar.
41. Shri Ram Dasare,  
District Assistant Secretary,  
Samyukta Socialist Party,  
Anandi Bazar,  
Ahmednagar.
42. Shri S. B. Nagarwalla,  
Vice President, Parsi Panchayat,  
Mess House,  
11, Nagarwalla Road,  
Camp—Ahmednagar.
43. Shri G. G. Khan,  
Advocate,  
Sarjepura,  
Ahmednagar.
44. Shri B. R. Deshmukh,  
Advocate,  
Ahmednagar.

ANNEXURE II

*Names of witnesses examined and dates on which they were examined at Poona.*

(Para 1.13 of Part I)

<i>S. No.</i>	<i>Date</i>	<i>Name of witness</i>
1.	7th January, 1969 . . . .	Shri V. D. Wakchawre, President, Republican Party, Ahmednagar.
2.	Do. . . . .	Shri R. M. Zarkar, B.A., LL.B., Advocate, District Secretary, Bharatiya Jan Sangh, Anandi Bazar, Ahmednagar.
3.	Do. . . . .	Shri G. R. Gaikawaiari, President, Hindu Mahasabha, Chaupati Karanja, Ahmednagar.
4.	Do. . . . .	Shri Ram Dasare, District Assistant Secretary, Samyukta Socialist Party, Anandi Bazar, Ahmednagar.
5.	8th January, 1969 . . . .	Shaikh Abdul Gani, Court Gali, Jamma Masjid, Ahmednagar.
6.	Do. . . . .	Syed Abdur Rahim, Contractor & Landlord, Ahmednagar.
7.	Do. . . . .	Shri V. L. Abbott, Vice-President, Ahmednagar Cantonment Board, 9, Hunter Road, Ahmednagar Camp.
8.	9th January, 1969 . . . .	Shri O. P. Marwaha, House No. 311, Sadar Bazar, Ahmednagar Camp.
9.	Do. . . . .	Shri B. R. Deshmukh, Advocate, Ahmednagar.
10.	10th January, 1969 . . . .	Shri V. G. Dhumane, Sub-Inspector of Police, Ahmednagar.
11.	Do. . . . .	Shri P. B. Kanoray, then Sub-Inspector, Local Intelligence Branch, now Sub-Inspector, Uran Police Station, District Kolaba.

S.No.	Date	Name of witness
12.	10th January, 1969	Shri S.J. Kamat, then Sub-Inspector of Police, Ahmednagar, now Sub-Inspector, Dhulia City.
13.	Do.	Shri S.V. Gadre, Sub-Inspector of Police, Ahmednagar.
14.	11th January, 1969	Shri P.N. Joshi, Police Sub-Inspector, Ahmednagar City Police Station, (now at Karjat Police Station), Ahmednagar.
15.	Do.	Shri N.M. Pawar, Sub-Inspector of Police, Nagar Taluka Police Station, (now Rahuri), Ahmednagar.
16.	Do.	Shri S.S. Nimbalkar, then Sub-Inspector, Ahmednagar, now Sub-Inspector, Dhulia City.
17.	Do.	Shri H.R. Joshi, Sub-Inspector of Police, Ahmednagar.
18.	Do.	Shri M.S. Purandare, Police Inspector, Local Intelligence Branch and Local Crime Branch, Ahmednagar.
19.	Do.	Shri A.K.R. Jamadar, then Police Inspector Administration, Ahmednagar.
20.	Do.	Shaikh Ibrahim Shaikh Isa, Police Inspector, Ahmednagar.
21.	Do.	Shri V.G. Bhise, Sub-Divisional Police Officer, Ahmednagar.
22.	13th January, 1969	Shri D.D. Ranadive, then District Magistrate, Ahmednagar, now Commissioner, Sholapur Corporation, Sholapur.
23.	Do.	Shri S.S. Thakur, then Superintendent of Police, Ahmednagar, now Commandant, Maharashtra State Reserve Police Group VI, Nagaland

<i>S.No.</i>	<i>Date</i>	<i>Name of witness</i>
24.	14th January, 1969 . . .	Shri S.G. Pradhan, D.I.G. of Police, Bombay Range, Nasik.
25.	Do. . . .	Shri M.N. Patil, Advocate, Jail Road, Ahmednagar.
26.	Do. . . .	Shri Papayya Hanumanta Mutyal, Pujari, Markanday Temple, Ahmednagar.
27.	Do. . . .	Shri Shankar Papayya Mutyal, S/o Papayya Hanumanta Mutyal, Pujari, Markanday Temple, Ahmednagar.
28.	Do. . . .	Sardar Khan Amir Khan Pathan, Advocate, Ahmednagar.
29.	15th January, 1969 . . .	Shri A.S. Balkundi, Deputy Superintendent of Police, Ahmednagar.
30.	Do. . . .	Shri S.A. Godhade, Fire Officer, Ahmednagar Municipality..



ANNEXURE-III

List of Persons who were called to give oral evidence but did not appear

(Para 1-13 of Part I)

S. No.	Name and Address	Date on which called	Reasons for non-appearance
1.	Dr. S.T. Mahale, Secretary, Praja Social st Party, Ahmednagar.	7-1-1969	Not known.
2.	Shri Rahim Qura'shi, Executive Member, All India Muslim Majlis-e-Millat, Madina Mansion, Hyderabad-29.	7-1-1969	Do.
3.	Sayyad Hajaratgula Nangalbaba, Priest, Gauri Ghumat, Anandi Bazar, Ahmednagar.	8-1-1969	Illness.
4.	Dr. V.V. Kulkarni, M.B.B.S., 258, Sadar Bazar Camp, Ahmednagar.	9-1-1969	Previous professional engagements on the da
5.	Shri S.M. Kulkarni, Principal, Premraj Sarda College, Ahmednagar.	Do.	Not known.

ANNEXURE-IV

Documents exhibited during the course of oral evidence

(Para 1-14 of Part I)

S. No.	Exhibit No.	Name of the witness filing the exhibit	Date	Description of exhibit
1	2	3	4	5
1.	I	Shri V.G. Dhumane, Police Sub-Inspector, Ahmednagar City Police Station, Ahmednagar.	10-1-69	Statement showing constables posted at 13 pickets in Ahmednagar on 18-9-1967.
2.	II	Do. . . . .	Do.	Details of constables posted at 6 Sections for patrolling duty.
3.	III	Do. . . . .	Do.	Telephone message received in the Ahmednagar Police Station from 18-9-67 to 20-9-67.
4.	IV	Do. . . . .	Do.	F.I.R. No. 221/1967 by Shri Vithal Bhimayya Gaddam, Zarekar Galli, House No. 54, Ahmednagar.
5.	V	Do. . . . .	Do.	Copy of photostat copy of a wall poster (written in chalk on a black board 6 ft. long hung on an electric pole).
6.	VI	Do. . . . .	Do.	F.I.R. No. 29-69 dated 1-2-68 by Shri V.G. Dhumane, S.I. of Police, Ahmednagar.
7.	VII	Do.	Do.	F.I.R. No. 154 dated 21-6-68 by Shri V. G. Dhumane, S.I. of Police, Ahmednagar.

1	2	3	4	5
8.	VIII	Shri N.M. Pawar, Sub-Inspector of Police, Nagar Taluka Police Station, (now Rahuri), Ahmednagar.	11-1-1969	Copy of F.I.R. No. 86.
9.	IV	Shri H.R. Joshi, II Police Sub-Inspector, Ahmednagar City Police Station, Ahmednagar.	Do.	Copy of F.I.R. No. 221/67.
10.	IX	Shri H.R. Joshi, II Police Sub-Inspector, Ahmednagar City Police Station, Ahmednagar.	Do.	Copy of the recorded statement of Shri Papayya Hanumanta Mutyal Pujari Markandeya Mandir.
11.	X	Shri S.S. Thakur, then Superintendent of Police, Ahmednagar, now—Commandant, Maharashtra State Reserve Police Group VI, Nagaland.	13-1-69	Statement showing the details of persons injured in the communal disturbances in Ahmednagar on 18-9-1967.
12.	XI	Do. . . . .	Do.	List of incidents of arson, looting and other damage caused during the communal disturbances in Ahmednagar on 18-9-67.
13.	XII	Shri S.A. Balkundi, Deputy Superintendent of Police, C.I.D., Poona.	15-1-1969	Statement giving chronological sequence of events, location, nature of incidents, cases registered and disposed.
14.	XIII	Do. . . . .	Do.	Sketch map of Markandeya Temple and its surroundings.
15.	XIV	Do. . . . .	Do.	14 Photographs of the Markandeya Temple and disfigured Idols.
16.	XV	Do. . . . .	Do.	Statement of Shri Ram Koteshwar Challa of Maliwara, Ahmednagar, before the Police in C.R. No. 222 of 1967.
17.	XVI	Shri S.A. Godhade, Fire Officer, Ahmednagar Municipality.	Do.	Copy of entries made in the log book of the fire engine from 15-9-67 to 24-9-67.

ANNEXURE-

List of documents summoned for perusal by the Commission.

(Para 1-15 of Part I)

1. Injury Reports of the 32 persons injured.
2. (1) Letter No. DC. WS.III.1134/1968 dated 4-4-68 from the D.M., Ahmednagar, to the Secretary to the Govt., Revenue and Forests Department, Sachivalaya, Bombay.
- (2) Memorandum No. CLS-3368/169796-S dated 28-10-1968, from the under Secretary to the Government of Maharashtra, Revenue and Forests Department, to the Commissioner, Poona Division, Poona.
- (3) Letter No. DC.WS.III.2602/1969 dated 6-11-1969 from the D.M., Ahmednagar, to the Commissioner, Poona Division, Poona.
3. (1) F.I.Rs. Nos. 221/67, 222/67, 224/67, 225/67, 226/67, 227/67, 228/67, 229/67, 230/67, 236/67 of Ahmednagar City P.S., and 59/67, 60/67 and 61/67 of Camp P.S.
- (2) Case Diaries Nos. as above.
4. Chargesheets and ordersheets in respect of C. Rs. Nos. 222/67, 224/67, 225/67, 226/67, 227/67, 228/67, and 229/67.
5. Committal orders of the Magistrate in respect of Criminal case Nos. 470/68 (C.R. No. 222/67), 471/68 (C.R. No. 225/67), 476/68 (C.R. No. 225/67), 551/68 (C.R. No. 224/67), 552/68 (C.R. No. 224/67), 553/68 (C.R. No. 224/67) and judgements of the Joint Civil Judge, Ahmednagar.
6. Police bandobust orders for Ahmednagar from 17-9-67 to 21-9-67 issued by the S.P., Ahmednagar.
7. Weekly Diaries (L.I...) reports of S.P. Ahmednagar, for the weeks ending 15-7-67, 23-7-67, 31-8-67 and 23-9-67.
8. Telephone Register of Ahmednagar City P.S.
9. Telephone Register of Ahmednagar Camp P.S.
10. Station Diary of Ahmednagar City P.S.
11. Station Diary of Ahmednagar Camp P.S.
12. Riot Emergency Scheme of Ahmednagar City
13. Report of Magisterial Inquiry into the Police firing at Ahmednagar on 18-9-67 by Shri S.D. Chaugule, Additional D.M., Ahmednagar.

14. Deposition in Sessions Court of Sriram Koteswar Challa and Dr. Mohindarkar Narayan in case No. 5/67. (Murder of Sonyababu Ahir).
15. Post Mortem report, P.M. No. 40/67, in respect of Sonyababu Rambhoy Ahir dated 19-9-67 from Civil Hospital, Ahmednagar.

ANNEXURE-VII

\*Entries from the Telephone Register of Ahmednagar Police Station for the period from 18-9-67 to 20-9-67

(Para 4.16 of Part II)

DATE : 18-9-1967

Sl. No.	Time	Details
1.	21.00 . . .	One Vithal Bhimaya Goddar residing in Zarekar Lane at Ahmednagar came to the Police Station and lodged a complaint that somebody has cut the noses of the idols of Markandeya and Shankar in the Markandeya Temple. The right leg thumb of Shankar has also been cut. This has hurt the religious feelings of Hindus.
2.		The above complaint has been registered at Nagar City in the Crime Register No. 221-67 under Section 29 of the Indian Penal Code.
3.	21.45 . . .	Constable Hinge telephoned that a mob had gathered near Markandeya Mandir.
4.	21.50 . . .	Constable Kamble informed on phone that pelting of stones near Markandeya temple is going on.
5.		P.C. (No name) informed on telephone that the mob has gone to pull down the Masjid.
6.	22.50 . . .	Shri Gaikhwari, Advocate enquired if the Phousdar Sahab, S.I. was there.
7.	22.10 . . .	P.C. Kathe informed on telephone that People have gathered at Gauri Ghumat.
8.	22.10 . . .	P.C. Hinge informed on telephone that pelting of stones took place at Gauri Ghumat and one P.C. has been hit by a stone.
9.	22.15 . . .	P.C. Kathe informed on telephone that heavy stone pelting has taken place. Send force at Topkhana Chouki.
10.	22.15 . . .	A student named Bhosale informed on telephone from Anandi Bazar that stones were thrown at Gauri Ghumat.
11.	22.15 . . .	P.C. Kathe informed on telephone that at Masjid, a severe stone pelting is going on.
12.	22.20 . . .	Home Inspector instructed on telephone to send police force at Zandi Gate.

\*Original in Marathi.

Sl. No.	Time	Details
13.	22.20 . . .	Force of 2—6 was sent to Zandi Gate.
14.		P.C. Jaware informed on telephone that Jamadar Kulkarni, Badwe and Joshi may be sent immediately.
15.	22.25 . . .	Constable Shriram Narayan informed on telephone that stone pelting is going on. Force of 1—10 sent to Topkhana Chouki.
16.	22.25 . . .	Sudhakar Shankar rang up informing that Municipal light has been damaged at Telikhunt, shops closed and stones throwing is going on.
17.	22.25 . . .	Disturbances in Siddhi Bagh—H.C. Gaikwad is present there—Mob is gathered—disorder exists—Force of 2—7 sent.
18.	22.25 . . .	Hiralal Shankar Gandhi informed that people have rushed towards the Teli Khunt Masjid. Pelting of stones is going on.
19.	22.30 . . .	Chandrakant informed that Soneri Masjid is being damaged.
20.	22.30 . . .	Somani pleader requested on phone to send police force at Farashkhana, Shivaji Road.
21.	22.30 . . .	D.S.P. informed on telephone that there are 43 Home Guards.
22.	22.45 . . .	Pelting of stones took place at Masjid near the House of Somani pleader.
23.	22.45 . . .	Constable Sudhakar Shankar requested to send force at Teli Khunt.
24.	22.45 . . .	Bhaurao gave a ring at Headquarters to send force and Helmets.
25.	22.45 . . .	Pelting of stones took place at Madwasha. Three constables sent.
26.	22.45 . . .	Three persons were sent at Panchipir Chaudi.
27.		Reporter of Maharashtra enquired as to how many persons were arrested and whether any lathi charge was made.
28.	22.50 . . .	Dy.S.P. directed on telephone to send force to Nalegaon and Sub-jail side.
29.		Gauri Jhumat, Takari Masjid and Topkhana caught fire.
30.		P.C. Babu Parwate informed on telephone that Pir at Phul Saidu Chowk was damaged.
31.		Stones are being pelted on the house of Dr. Bashir. Three persons sent.
32.	23.15 . . .	Constable More informed on telephone to send force as people entered the Masjid near the Maliwada Weshi.
33.	23.15 . . .	Manuwar Husain informed on telephone that Darga opposite the Jail has caught fire.
34.	23.15 . . .	Baburao Chopda informed to send force at Telikhunt as pelting of stones is going on in Khristi Lane.
35.	23.20 . . .	Head Constable gave a ring that Mosque at Maliwada Ves had caught fire. Another place opposite Jail caught fire. Stones were pelted on Darga. Pelting of stones is continued.

Sl. No.	Time	Details
36.	23.25	B.B. Mhaske informed that the Darga opposite the jail caught fire Stone pelting continues.
37	23.30	There was a ring from Hatampura Post that people have gathered there.
38		Constable Rajhans visited the place. Pelting of stones on the Masjid continued.
39.	23.30	Manager from Chhaya Talkies gave a ring informing that there was a fire at the back side of the Theatre. Sbri Joshi rushed there.
40.	23.30	Vtihal Madhav gave a ring from Jail about the continuance of pelting of stones.
41.	23.30	Mrs. Thakur gave a ring and informed about the pelting of stones near the Jail.
42.	23.30	Shri Nimbalkar gave a ring requesting that the mob at the Vegetable Market, Chitle Road be asked to keep peace.
43.	23.45	Shri Dharmadhikari requested to depute two persons at Telegraph Office in Saubhagya Sadan, Maliwada.
44.	23.45	Dhonge Manager informed about the fire at the back side of Chhaya Talkies.
45.	23.45	Joshi from Nav Bharat Press informed that there was stone pelting at the Panch Pir Chaudi.
46.	23.45	Constable Hinge informed about the damage being caused to the Chhaya Talkies.
47.	23.50	Dr. Ranade gave a ring requesting to send help as the Takari Masjid was put on fire.
48.	23.50	Home Inspector directed on telephone to send force at Chhaya Talkies.
49.		Somani Pleader requested to send force.
50.	23.50	
<b>DATE : 19-9-1967</b>		
1.	00.00	Babushet requested to send force as stone pelting was going on at Panch Pir Chowdi.
2.	00.05	Vasantrao Gandhi informed that the Pir near the house of Rajurkar is being set on fire.
3.	00.15	Constable Harse informed on phone about pelting of 10-12 stones on the Masjid near the Manga Gate.
4.	00.15	Dr. Kharadkar informed about pelting of stones on Tavkal Vastad Masjid.
5	00.20	Manager S.T. informed that mob has gathered. Police force be sent.
6.	00.27	Dr. Garje informed from Civil Hospital that one man was dead probably due to stabbing.
7.	00.20	Constable Gani informed that stone pelting has started at Parsha Khunt.
8.	00.25	Constable Usman gave a ring informing about 100-125 persons have gathered near Gaikasai Masjid



<i>Sl.No.</i>	<i>Time</i>	<i>Details</i>
9.	00.30 . . .	Masjid at the back side of the court caught fire.
10.	00.30 . . .	Constable Belt No. 55 caught hold of one person named Dattatraya Radhakisan Misal while he was pelting stones at the back side of the Hospital and produced him at the Police Station.
11.	00.45 . . .	Constable Khonde informed on telephone that pelting of stones at Kach Masjid near the Mangal Gate has started.
12.	00.45 . . .	Shri Palwe informed that Parsha Khunt Masjid caught fire.
13.	00.45 . . .	Shri Kulkarni informed the P.S.O. on phone that a Coal Depot near the Treasury Guard has caught fire.
14.	00.55 . . .	Dr. Kharadkar requested to send force as people are setting fire near Vastad Talim.
15.	01.00 . . .	A fire brigade vehicle is near the Panch Pir Chavdi. One private house is burning nearby. P.S.I. asked for a vehicle.
16.	. . .	Duty Officer Armed Force.
17.	. . .	Constable Usman gave a ring informing that 100 young boys of 18-20 years of age have collected near Parsha Khunt.
18.	. . .	R. T. Gandhi resides near new Maratha Office near Ganj Bazar.
19.	01.20 . . .	Abdul Bahiram informed on telephone that mob has collected near Gaikasai Masjid.
20.	01.20 . . .	P.S.O. Nagar Taluka Police Station informed about gathering of people at Gaikasai Masjid.
21.	01.20 . . .	Collector Saheb's peon phoned that people have collected at the College Road.
22.	01.20 . . .	Ganj Chowki—Breakage caused to the glasses of Usman Hotel.
23.	01.20 . . .	Khan Saheb Sarosh Irani informed on telephone about the Manager of Chhaya Talkies.
24.	01.20 . . .	Mrs. Gundecha informed on phone to send force for help as people are pelting stones.
25.	01.20 . . .	Shri Gungle informed on phone that people have collected at Parsha Khunt.
26.	01.20 . . .	Send two persons at the residence of Collector Saheb.
27.	01.20 . . .	People with lathis are sitting opposite the shop of Shri Kachkal.

<i>Sl. No.</i>	<i>Time</i>	<i>Details</i>
28.	01.20 . . .	Constable Usman informed on phone about the breaking of glasses of Karim Miya Hotel.
29.	01.35 . . .	The tomb in Khrist Galli is being set on fire.
30.	01.35 . . .	Home Inspector informed on phone that people have collected at Parsha Khunt. Shri Bhaurao was sent to inform the D.S.P.
31.	01.35 . . .	Near Brahman Karanja at Idga Maidan a Darga was burnt.
32.	01.40 . . .	Phiroj Mohd. informed that opposite the Convent High School the Darga has been burnt and its wooden fencing destroyed. Ghanshyam informed about the collection of mob at Gilada Circle Guest House in the Juna Bazar. People have gathered near the house of Dr. Ranade and are shouting.
33.	01.45 . . .	Noorjahn Amadsha Kadri resident of Nagri Gal. Juna Bazar informed about destroying of Madhwasha Darga and damage caused to the curtains and glass lamps (HANDIS).
34.	01.50 . . .	Home Inspector directed Constable Bhor to send force at Parsha Khunt.
35.	01.55 . . .	Ghanshyam informed on telephone that at Pir, Juna Bazar there is a great disturbance. Force was sent with Nagesh Govind.
35.	02.05 . . .	From Tophkhana, Gaikwad gave a ring requesting to send vehicle and force. At Do Boti Chira there was a big fire.
37.	02.08 . . .	Shri Sant, Prosecutor gave a ring requesting to make arrangement for him as he has to go opposite the Court.
38.	02.10 . . .	Watchman gave a ring informing that the Masjid opposite the Court has been put on fire.
39.	. . .	Military authorities enquired as to how the situation stands. They were informed that fires have taken place opposite the Court at Do Boti Chira.
40.	02.15 . . .	One shop and bakery have been burnt in Juna Bazar.
41.	02.20 . . .	A peon from the court gave a ring informing that the wood shop near the Do Boti Chira has been set on fire. Reserve force of the Choki was sent.
42.	02.22 . . .	Constable Shelke gave a ring from Tophkhana Chowki saying the Taj Cycle Mart has been set on fire. Send force. Force of 10 persons was sent. 9 persons were sent to Taj Cycle Mart, Juna Bazar, Mahule Saheb was there.
43.	02.30 . . .	Jailor gave a ring informing the Darga opposite the Jail is on fire. Fire Brigade was rang up to send their motor. Shri Gulab informed that the motor was not available as it had gone to bring water.

<i>Sl. No.</i>	<i>Time</i>	<i>Details</i>
44.	.	(Missing).
45.	02.45 .	Dr. Nisal gave a ring to No. 54 informing a big mob has been collected opposite the house of Shri Dani. He further requested to make necessary bandobast.
46.	02.50 .	As per Phone No. 54, force was sent to Shri Dani's house.
47.	02.50 .	H.P.I. Saheb gave a ring saying that D. I. G. left at 1.45 and directed to convey this message to S. P.
48.	02.51 .	Constable Usman gave a ring from Ganj Chowk that there was a fire at Ganj.
49.	02.52 .	NAVA-MARATHA ' informed about the conflagration at Ganj.
50.	02.52 .	Shri Borade from Tophkhana gave a ring about the breaking of shops there.
51.	02.53 .	D. S. P. on phone directed to send force at Ganj Peth. Accordingly 7 persons were sent immediately.
52.	04.00 .	Dr. Munje R.M.O. is requested to complete the post-mortem before 5.00 a.m. Head Constable Yakubdada was sent to convey this message to Dr. Munje.
53.	04.05 .	Direction was received to send L. I. B. Shri Bhosale or any other officer at Tophkhana Chowki.
54.	.	Constable accompanied Channa to Civil Hospital.
55.	04.20 .	Home Inspector informed on phone that D. S. P. is halting at Sangh Shakti Karyalaya. In case D. I. G. comes there, convey this message to him.
56.	.	From Bombay, S. P. Shri Nagarkar (Intelligence) informed on phone that the wireless message was not deciphered. The complete message was repeated.
57.	.	Jamadar Joshi gave a ring to inform the Home Inspector that the Jeep Car was not there.
58.	10.45 .	Sub-Inspector of S. R. P. gave a ring informing that people have collected at Teli Khunt.
59.	10.45 .	One school at Teli Khunt was put on fire. Home Inspector proceeded to that place. Fire Brigade was informed on telephone.
60.	.	House No. 2279, Tapkir Galli—Shri B. M. Sharma P.S.I. Bid City—Collector A. H. Shirsagar—709 Mukarji H. B. Shri Purandare called for the vehicle.
61.	.	A ring came from No. 148 Control Room to the City Police Station informing that Kisan Kabra was not traced. What can we do further.

<i>Sl. No.</i>	<i>Time</i>	<i>Details</i>
62.	.	Toray Staff Nurse Nagarkar gave a ring from the Civil Hospital and informed that Sukhdev Shankar Gaikwad aged 13 years of Nalegaon Balika Ashram had been injured in lathi charge and was admitted to the hospital on the previous night.
63.	15.15	Torn strips of cloth have been collected in the Vithal Rakhmai Temple of Shani Galli. Send force.
64.	.	Shri Shantilal Pannalal Bore resident of Shahaji Road, Dave Dabra, Kale Building rang up and said that two machines worth Rs. 20/- had been damaged, one belonging to Shanti Lady Tailor and the other one to Baburao, resident of Bagadparti, Miskinwada.
65.	18.00	Constable Mane rang up from Mangal Gate that near Shani Mandir at Bhaochi Madi people have gathered. Please send force.
66.	21.00	Police Constable rang up from Topkhana and informed that there is disturbance at Lal Talkies. Send big vehicle.
67.	21.15	In Belkhar Galli people are standing in groups.
68.	21.30	Pelting of stones is going on in Buaud Galli.
69.	22.45	Shantaram Sakharam Jondhle, a clerk, working in the Jila Parishad and resident of Subedar Galli rang up and informed that Muslims have gathered in Subedar Galli. They had two tins of Kerosene and torches. Necessary bandobast be made. Accordingly Section Ganj was informed.
DATE : 20-9-1967.		
1.	11.00	X X X Saheb rang up and informed that people are shouting at Zandi Gate. Send force and bandobast be made immediately.
2.	11.22	Shri Amar Singh rang up from Nagar Taluka Police Station and informed that riots are going on between the area of Ghodi Gate to Kamthipura. Send help immediately. Shri B. R. Joshi P.S.I. rushed. Two vehicles were sent immediately. 11-45 hrs.
3.	.	Nagar Taluka Police Station and the Petrolling Party rang up that Muslims have gathered at Zandi Gate.
4.	14.00	Shri S. K. Mukerji from Phone No. 709 informed that at 356 Harampura pelting of stones is going on. This incident happened in the morning at 10.00 a.m.

ANNEXURE-VIII

(Para 9.1 of Part II)

List of persons who had applied for compensation and relief in consequence of the Communal Disturbances, showing the estimated damage to property etc.

S. No.	Name and Address of the sufferer	Amount of compensation asked for	Amount recommended by the Tahsildar in the year 1967	Total amount of loss as per police Panchnama	Remarks (Opinion as regards grant of compensation/loan etc. of the Collector, Ahmednagar)
1	2	3	4	5	6
1.	Shri Shaikh Kasam Mohiyoddin, Juna-bazar, Ahmednagar.	500	475	200	All these persons (from Sr. No. 1 to 29) are trustees. They have asked for grant of compensation, loan etc. for restoring the places of public worship such as Mosques, Dargas Peers etc. As the matter is of public nature and the persons have not suffered any loss individually, it is proposed that there is no necessity to grant compensation in these cases.
2.	Shri Shaikh Lal Miyabhai Mistri, Chitale Road, Ahmednagar.	450	210	10	
3.	Shri Sayad Hasham Sayad Inayat, Khist Galli, Ahmednagar	350	350	350	
4.	Shri Shaikh Munshi Mohomadsaheb, Chavivale, Zarekar Galli, Ahmednagar . . . . .	500	300	400	
5.	Shri Shaikh Basheer Shaikh Benesaheb, Tatti-Darwaja, Ahmednagar. . . . .	1,500	400	400	
6.	Shri Haji Abdul Gafur Umarsaheb, Tatti-Darwaja, Ahmednagar . . . . .	15,000	7,500	7,500	
7.	Shri Shaikh Chand Ahmedsaheb, Tatti-Darwaja, Ahmednagar . . . . .	1,000	500	200	
8.	Shri Shaikh Pashumiya Papamiya, Khist Galli, Ahmednagar . . . . .	10,000	200	200	

9.	Shri Sk. Jahur Ahmed Babamiya, Tatti-Darwaja, Ahmednagar	150	150	10
10.	Shri Sk. Peer Mohd. Fakir Mohd. 2623, Behind Pach Limb, Ganj-bazar, Nagar	500	500	..
11.	Shri Yasin Ali, Mehboob Alis Bara Imam Kothla, Ahmednagar	..	265	150
12.	Shri Gafur Mohomad Raje, Maliwada, Ahmednagar	2,100	1,200	60
13.	Shri Sk. Mahaboobhai Yakubhai, Khatik Galli, Ahmednagar	5,000	4,300	..
14.	Shri Hasan Karimbhai, Do-Boti-Chira, Ahmednagar	2,000	787	2,000
15.	Shri Shaikh Ahmed Sk. Mohamad, Sidhi-Bag, Ahmednagar	2,950	2,000	2,000
16.	Shri B. B. Mistri, Takar Galli, Ahmednagar	13,925	7,510	7,000
17.	Shaikh Pirbaksha Daghubhai, Takar Galli Top-Khana, A <sup>n</sup> Nagar	500	200	25
18.	Shaikh Abdul Kedar Gafurbhai, Anandi-bazar	5,000	2,575	2,000
19.	Shri Kankar Babasaheb and (2) Yasin Babasaheb Deshmukh, (Inamdar), Khandke, Taluka Nagar	600	500	500
20.	Shaikh Kassam Mithabhai, Sub-Jail Road, Nagar	1,500	1,300	500
21.	Shri Shaikh Babasaheb Adamsab, Takar Galli	2,500	750	700
22.	Shri Chandkhan Asadkhan, Maliwada, Nagar	300	140	..

1	2	3	4	5	6
23.	Shri Sayad Ibrahim Miyabhai Chandiwale, Tatti-Darwaja, Ahmednagar	110	100	..	
24.	Shri Sayad Ahmedsaheb Benesaheb, Satbhai Galli, Ahmednagar	500	500	..	
25.	Shri Shaikh Ahmed Husain Shah Kadari, Junabazar, Ahmednagar	1,000	1,000	500	
26.	Shri Sayad Nazir Ali Ahesan Ali, Sadar-bazar, Ahmednagar	1,000	1,000	800	
27.	Shri Abdul Rahiman Sardarbhai, Sadar-bazar Camp, Ahmednagar	1,710	1,710	..	
28.	Shri Azamkhan Banekhan, King Gate, Ahmednagar	200	200	..	
29.	Shri Shaikh Chandsaheb Babasaheb, Opp. Society High School, Ahmednagar	2,000	1,000	300	
30.	Shri Habibkhan Dilawarkhan, Mahatma Fule Road, Maliwara, Ahmednagar	25,000	20,000	..	He has been paid Rs. 1,000 as gratuitous relief in the year 1967. He could not so far settle himself. Taking into account the loss suffered by him, a loan of Rs. 5,000 may be granted.
31.	Shri Haji Sayad Bashir Sayad, Ahmednagar	1,500	1,400	..	He has been paid Rs. 100 as gratuitous relief on 30-11-1967. He is serving in State Transport Corporation, getting pay of Rs. 175/- to 200/- p.m. No necessity to grant him any amount.
32.	Shri Nabubhai Sultanbhai, Khatik Galli, Ahmednagar	800	525	50	His monthly income is Rs. 125 to Rs. 200 and taking into account the damages as per police Panchnama it is not necessary to grant him any loan/compensation.

33.	Shri Shaikh Mohd. Abdul Rahimpesh, Imam, Khatik Masjid, Ahmednagar	500	320	321	Not necessary to grant any compensation/loan, etc.
34.	Shri Sk. Maghulbhai Sk. Kasmbhai, Anandi- bazar, Ahmednagar	200	200	60	Do.
35.	Shri Shaikh Subhan Amirsahab, Asha Talkies, Ahmednagar	5,500	5,500	5,500	He has been paid Rs. 500 as gratuitous relief on 9-10-67. His financial position is not so bad. Not necessary to grant any help.
36.	Shri Shaikh Vajid Manku Khalifa, Maliwara, Ahmednagar	1,300	1,300	300	He has been paid Rs. 150 as gratuitous relief on 6-10-67. Not necessary to grant any, more help.
37.	Shri Dadamiya Hasanbhai, Khatik Galli, Ahmednagar	1,500	1,500	1,500	Not necessary to grant any compensation/loan etc.
38.	Shri Maheboob Abbasbhai, Bharad Galli, Ahmednagar	150	150	..	Do.
39.	Shri Shriram Gangaram Punjabi, Mahatma Fule Road, Ahmednagar	4,000	2,000	..	Not necessary to grant any compensation/loan etc.
40.	Shri Taj Mohd. Jan Mohd. Shaikh, Juna-bazar, Ahmednagar	4,070	4,070	3,500	He has been paid Rs. 500 as gratuitous relief on 9-10-67. His financial position is sound and it is not necessary to grant him any help.
41.	Shri Rahimkhan Mahibubkhan, Ahmednagar.	700	500	690	Not necessary to grant him any help.
42.	Shri Baba Shah Shaikh Gafur, Ahmednagar	1,100	1,100	1,100	He has been paid Rs. 100 as gratuitous relief on 30-11-67. Not necessary to grant any more help.
43.	Shri Rajmohamad Fatrukhan, Anandi-bazar, Ahmednagar	1,000	750	970	He has been paid Rs. 125 as gratuitous relief on 27-10-67. Not necessary to grant any more help.
44.	Shri Badsha Vali Mohd. Shaikh, Anandi-bazar, Ahmednagar	15,000	7,960	2,000	He has been paid Rs. 500 as gratuitous relief on 9-10-67. Not necessary to grant any more help.



1	3	4	5	6
45. Shri Mohan Anant Raut, Ahmednagar	2,000	2,000	..	Not necessary to grant any amount of compensation/loan.
46. Shri Rajaram Premchand Kumar, Mamte Galli, Ahmednagar	275	275	..	He has been paid Rs. 125 as gratuitous relief on 6-10-67. Not necessary to grant any more help.
47. Shri Shaikh Rasul Kadubhai, Panchpeer Chavdi, Ahmednagar	..	484	..	He has been paid Rs. 200 as gratuitous relief on 7-10-67. Not necessary to grant any more help.
48. Shrimati Mainabhai Sonyabapu Aher, Juna Mangalwar, Ahmednagar	..	..	..	She has been paid Rs. 500 as gratuitous relief on 11-10-67. Not necessary to grant any more help.
49. Shri Savadi Hajrat Gulam Mohamad, Gouri-ghumat, Ahmednagar	..	800	..	He has been paid Rs. 100 as gratuitous relief on 20-10-67. Not necessary to grant any more help.
50. Shri Rahimkhan Mehboobkhan, Anandi-bazar, Ahmednagar	700	500	..	He has been paid Rs. 100 as gratuitous relief on 27-10-67. Not necessary to grant any more help.
51. Shri Sayad Umar Sayad Ahmed, Inamdar, Tatti-Darwaja, Ahmednagar	6,000 (Loan)	4,000	3,500	He has asked for grant of loan. He has been paid Rs. 500 as gratuitous relief on 9-10-67. On enquiry it is revealed that he has borrowed loan from private persons. He owns cycle shop with 10 bicycles. Not necessary to grant any more loan.
52. Shri Abdul Ajij Amir, Sherkar Galli, Ahmednagar	2,000 (Loan)	2,000	1,000	He has asked for grant of loan. He has been paid Rs. 500 as gratuitous relief on 9-10-67. He is a pensioner getting pension of Rs. 44 p.m. and holds lands measuring 10 acres at Newasa. Not necessary to grant any loan.

## ANNEXURE IX

### Extracts from the Report of the Commission on the Communal Disturbances at Ranchi-Hatia, August 22 to 29, 1967

(Paras. 11.2, 11.16, 11.20, 11.24 and 11.28 of Part II)

#### Extract No. 1

The root cause of the breaking out of serious disturbances as a result of any minor incident has been found to be the mistrust existing between the two communities since 1947 when the partition of the country took place. All efforts have to be made to remove this mistrust. What the efforts should be is for the political and social parties to evolve. Genuine improvement of the relation between the two countries—Pakistan and India may go a long way in allaying the apprehensions born out of mistrust and ultimately in removing the mistrust. The Commission considers it to be useful if people of all the communities form a permanent non-official organisation for doing the necessary propaganda to allay the mistrust. The move should come from non-officials. The propaganda can be carried out through the press and platform and through other means of communication. It should be on a consistent regular basis for inculcating a feeling in the Hindus to consider the Muslims who have been residing in the country as good citizens and nationalists as they are, and in the Muslims the feeling that they are the citizens of this country and should show no sympathy or preference to Pakistan in matters of differences between Pakistan and India. It is the exhibition of some such sympathy or preference for Pakistan which is responsible for keeping the distrust alive, even though the persons expressing it may be only a small fraction of the Muslim population. So long as such activities even of a few are there, distrust is bound to exist.

(Part V, Para. 1).

#### Extract No. 2

A view has been expressed by several persons that communal parties should be banned. The proposal is fraught with difficulties, objective and subjective. The decision to declare a party communal and to ban it necessarily will have to be taken by the political party in power and the decision may not be fair. What type of communal organisation is to be banned would require a careful consideration. Communal organisation merely constituted for the improvement of their communities may not be banned constitutionally. Communal organisations inciting ill-will or hatred against other communities could be considered as of a different category.

[Part V, Para 6, (III) (iii)].

**Extract No. 3**

It may be helpful if text books in schools contained matters relating to all religions and mythology, referring to all great men and religious leaders of all the communities with respect. Matters should be so presented as not to be a propaganda for any particular religious faith. Similarly, history books should lay particular stress on facts relating to the unifying and good acts of previous rulers and administrators and should refer to unfavourable acts only objectively. In other words, no such fact be presented in a manner as to create disharmony among different sections of the people. Of course, history has to present, in a comprehensive manner, facts as they took place. History of the national struggle against the British should have references to the contributions and sacrifices of the members of the various communities.

(Part V, Para. 2).

**Extract No. 4**

Firm legal action be taken against the persons acting in a manner likely to create ill-will, hatred etc. between the communities. Such cases once sent to court should not be withdrawn for political reasons.

[Part V, Para 6(I)(vii)].

**Extract No. 5**

The other two suggestions are that severe disciplinary action should be taken against the district and police authorities if they do not immediately take adequate and stern measures to quell the disturbances and that they should be transferred immediately on their failure to quell the disturbances in order to facilitate an enquiry against them. The suggestions emanate from an impression that no disturbance can take place in a town like Ranchi if only the district and the police authorities do not want it. Such a supposition seems to be wide off the mark. The authorities are not expected to, and do not create riots. It is their misfortune that they do take place and they have to deal with them according to the best of their ability. However, to lay down any such rules or direction as suggested would place a premium on the goondas and the mischievous people of the city. They can take advantage of any situation and create disturbances which may lead to the suggested action against the authorities. Of course, whenever such disturbances take place and there be complaints against the conduct of the local authorities, it is for the government to make inquiries about the complaints and if it is proved that some officer was guilty of dereliction of duty, to take action against him. Merely his failure to quell disturbances cannot be taken as a positive proof of the dereliction of duty on his part. Disturbances may not be quelled speedily even if the best possible arrangements are made.

(Part V, Para. 11).

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