



REPORT
OF THE
COMMISSION OF INQUIRY
ON
COMMUNAL DISTURBANCES

MALEGAON

(SEPTEMBER 24, 1967)

1970



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(ii) The Commission shall make a report to the Central 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 1952), 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. 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 July, 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-Poll.I(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. 19/47/67-Poll.I(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 course of the communal disturbances that occurred in Sholapur on the 17th September, 1967;
- (ii) whether there have been other communal disturbances in recent years in Sholapur;
- (iii) whether there was any tension between the communities immediately preceding the disturbances of 17th September, 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:—

Times of India, Bombay	28.12.67.
Free Press Journal, Bombay	28.12.67
Indian Express, Bombay	29.12.68.
Sholapur Samachar, Bombay	27.12.67.
Sanchar, Bombay	28.12.67.
Inquilab, Bombay	29.12.67.
Nav Bharat Times, Bombay	27.12.67.
Navshakti, Bombay	27.12.67
Sandhyakal, Bombay	30.12.67.
Navkal, Bombay	29.12.67.

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 the victims of the disturbances and for restoring confidence amongst the minority community.

1.8 On receipt of requests from persons and organisations the last date for receiving statements was initially extended to the 15th February, 1968, and later, on the request of the State Government, to the 15th April, 1968.

1.9 In response to the notification dated the 19th December, 1967, 73 affidavits and 13 statements were received. One, who had sent an affidavit, furnished two statements also. Similarly two others, who had sent affidavits, furnished a statement each. Out of the 73 affidavits, 20 were from State Government officials, two from organisations and the rest from individuals. The organisations which sent affidavits are the Sholapur Muslim League and the Madhyavarti Ganesh Utsav Mandal, Sholapur.

1.10 Among the individuals who submitted affidavits three were connected with organisations. One was President of the Muslim Majlis-e-Mushawarat, Sholapur; one was Convenor of the Secular Forum, Sholapur and one was Deputy President of the Madhyavarti Ganesh Utsav Mandal Committee, Sholapur.

1.11 Out of the 13 statements received one was from the All India Majlis Tameer-e-Millat, Hyderabad, one was from the President, Hindu Sabha, Sholapur, and the rest from individuals.

1.12 Out of the 53 affidavits received from organisations and individuals, five were from Muslims. Similarly out of the 13 statements received 10 were from Muslims.

1.13 A list of persons and organisations who furnished affidavits/statements will be found at Annexure I.

1.14 All the affidavits and statements from the members of the public and organisations were received within the prescribed date of 15th April, 1968. Similarly the affidavits of the State Government officials were also received by the prescribed date excepting that of one officer which was received on 17.4.68. The State Government's statement of the incidents reached the Commission on 27.5.68.

1.15 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.

1.16 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.

1.17 All oral evidence was recorded at Poona. In all 34 witnesses were examined of whom 21 were Government officials and the rest were non-officials. The names of witnesses examined and the dates on which they were examined are given in Annexure II.

1.18 A list of documents exhibited in the course of oral evidence is at Annexure III.

1.19 List of documents summoned by the Commission for perusal is at Annexure IV.

1.20 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.

CHAPTER II

Mode of Inquiry

2.1 Twenty Government officials filed statements with respect to the incidents or the steps taken by them. Of these 19 were summoned for evidence. Three other officials, who had not submitted statements, but who, during the recording of oral evidence, were found to have performed duty in connection with the disturbances, were also summoned for oral evidence. Among the non-officials summoned were representatives of organisations or those who had connection with organisations and eye-witnesses to incidents. In all, 37 persons were summoned for oral evidence. A list of persons whose oral evidence was recorded will be found at Annexure II.

2.2 Of the Government officials summoned, the Commission could not record the evidence of Shri V. B. Bhosle, S.I., Faujdar Chawadi P.S. as he was in hospital because of an accident. Sarvashri P. G. Kusurkar, Convenor Secular Forum, Sholapur, and S. T. Hanchate, President, Hindu Sabha, Sholapur, did not turn up for evidence even though the summons had been served on them. Annexure V gives the list of persons who, though summoned, did not appear to give evidence.

2.3 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.”

2.4 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."

2.5 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.

2.6 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 We decided not to record evidence about every incident which took place during the disturbances or to record evidence about any incident in great detail. We recorded the evidence which in our opinion was sufficient to give us a clear picture of how the disturbances started, how they spread in various localities and between members of the different communities on the 17th of September. We did not concern ourselves with the actual culprits taking part in the incidents. That is left for the investigating agency and for the courts. Similarly, we recorded evidence about the action taken by the public authorities previous to the commencement of the disturbances and in dealing with them as a whole.

PART II
CHAPTER I
Evidence

1.1 Sixty-six affidavits and written statements were received from non-officials. Of these, 15 were from Muslims. Six of them filed written statements about the loss they sustained on account of looting of their shops. One of them was a government servant who alleged that though he was absolutely innocent, he was arrested by the Police and was suspended by his department. Two of them made allegations against the Police in connection with its entering their houses after the incident at Punjab Talim, beating them and arresting them. One made a statement more or less on the lines of the Hindu version of the incident. The eleventh is not an eye-witness. These 11 persons were not summoned.

1.2 The other four persons were summoned. They were Shri M. K. Tabib, President, Muslim League, Sholapur; Shri Rahim Quraishi, Executive Member, All India Majlis Tameer-e-Millet and Editor, Printer and Publisher of the weekly 'Shaoor' issued from Hyderabad; Shri Abdul Sattar, Mohd. Hussain Jamadar, and Shri I. B. Tanksal. None of these witnesses is an eye-witness to any incident. It is felt from this that no Muslim who was present at any of the incidents cared to submit his version of the incident to the Commission.

1.3 We got a complaint from Shri M. K. Tabib, President, Muslim League, Sholapur about the Police approaching persons in Sholapur for copies of their statements which would be sent by them to the Commission. Its contents are quoted below :—

"I had already sent my statement regarding the recent riot that took place in Sholapur. On learning this the local police had repeatedly asked me to give them a copy. On my refusal the attitude of police has changed towards me. Other persons who wanted to submit their statements were in a way threatened by the local police and hence persons are afraid to send their statements. On the contrary the local police has prepared one general draft which it is suspected was prepared after censoring the statements already sent to the Commission and favourable to police and Hindus and quite contrary to the true facts and the same are being sent to the Commission through so called leaders of such Hindus who are actually the persons that were the causes for the riot. All the expenses and draft etc. were made by the police and the police took these persons in the police vans and got the affidavits etc. As a matter of fact the statements submitted after 31st January 1968 are the products of police brain. From these circumstances it is very clear that the local police and Hindus

are of one mind and the police officers are Hindu community. It is also requested that inquiry in this respect is very essential. Moreover myself and other Muslims who have sent statements to the Commission apprehend that the local police is likely to harass us."

1.4 Subsequently an Express Telegram dated the 22nd February, 1968 from Home special, Bombay requested further extension of time for sending information and for submitting statement by officials/non-officials, organisations etc. to the Commission for further period of one month. The State Government was then informed that it was not required to collect and furnish to the Commission documents from non-official organisations, that the Commission has received a letter dated the 14th February, 1968 from the President of the Muslim League, Sholapur, complaining that he and other Muslims are being repeatedly asked by the police to furnish copies of the statements, submitted by them to the Commission.

1.5 Most of the statements received expressed practically identical versions of a particular incident. We, therefore, put some relevant questions to the witnesses who appeared before us.

1.6 Shri M. K. Tabib has deposed :—

"I was questioned by the Police at the time the memorandum was called for whether I would be sending a memorandum to the Commission. I replied in the affirmative. I was then asked to provide a copy to the Police. I did not give any copy to the Police and they too did not ask for a copy from me later. P.S.I. Tasgaonkar had questioned me about the submission of my memorandum to the Commission."

1.7 Another witness, Dr. M. J. Chidgupkar, however, has deposed :—

"On the 12th February, 1968 P.S.I. Tasgaonkar came to me and enquired about the facts I knew of the incident of the 17th September, 1967. I made a statement. He took it down. Before taking my statement he had enquired from me whether I would like to send my statement to the Commission. He took my statement on expressing my willingness to send my statement.

On going through that statement I found that the statement contained incidents which I did not know and I struck them out. He then prepared copies and came again with that and I told him that this was correct. Magistrate Tangi was present at that time I read out the first page and signed them before him. Then he gave me a copy of the statement and he told me not to speak about this statement. I did not myself send a copy of the statement to the Commission. It was sent by Tasgaonkar or by some other person. Tasgaonkar told me that he had been taking the statements from other persons of the city also. The stamp paper of my statement was provided by Tasgaonkar. The affidavit was stamped by the Magistrate in my presence."

1.8 Sub-Inspector Verma alias Tasgaonkar gave a different version and deposed :—

“Dr. Chidgupkar is my family doctor. He just spoke to me about his statement. He was an eye-witness of the Kadari Mosque incidents. He prepared his own statement. He did not give it to me for fair typing or sending it to the Commission.”

1.9 We prefer Dr. Chidgupkar's statement to that of Sub-Inspector Tasgaonkar.

1.10 Another witness K. L. Bajpai at first stated that he himself prepared his statement, got it typed, purchased stamp paper worth 65 paise and wrote his affidavit on it but ultimately admitted that he did not pay anything for the stamp paper and the stamps affixed, and that they were supplied by the officer to whom he delivered his statement. He further deposed :

“I now recollect that some lean and thin person took my statement. I made a verbal statement. He wrote it down. Later he called me to his office which is a few rooms away from the room where I had delivered the affidavit. He then showed me this typed copy. I went through the first page and then signed it, taking it to be the correct record of what I had stated to that person. I left a copy of this signed statement with that officer. He gave one copy of this statement to me.”

1.11 Shri R. Y. Patil has deposed :—

“Before I sent my statement to the Commission I was examined by S. I. Vidhate four or five days after the incidents. No other officer took my statement. I wrote out my statement and had it typed by Bhalerao, bond writer. I gave him Rs. 5/- in all. He provided the stamp paper.

I wrote out the affidavit myself and then directed Bhalerao to take the papers and do the needful.

I do not remember the name of the person who identified me before the Magistrate.”

1.12 Three witnesses Sarvashri Oname, Bhalerao and Tandale, however, deposed that they themselves prepared the statements and did not make any statement for the Commission before any other officer.

1.13 Further, most of the statements by the Police officers and other persons about the incidents on any particular matter with which they have to deal are practically identical. This identity is explained from the statements of the S.P. and Sub-Inspector Varma alias Tasgaonkar.

1.14 The S.P. has deposed in this connection :—

“When the notification for submitting affidavits before the Commission appeared in the newspapers, I got prepared statement of facts from the records of the various Police Stations and whenever any officer of the Police Department or any other person required any information, he was given access to

the prepared statements of facts. Accounts of the incidents over past few days of the disturbances have appeared in the various papers with comments about the pre-planning etc. These may account for the similarity of expressions in the various statements and affidavits."

1.15 When we asked for a copy of the note of facts prepared by the Superintendent of Police and made available to the Police Officers, the Commission Office contacted both the Superintendents of Police, i.e., Shri Dravid who was the Superintendent of Police at the time of the incident and his successor who happened to be at Poona. and the Commission Office note states:—

"Both the S.Ps. came to the office here and from the discussion with them it transpired that no special note was prepared and circulated to the Police Officers for helping them in the drafting of their statements to the Commission. From the records available in the S.P's office and the reports on the incidents in that office all the junior police officers were supplied with factual and background information as they asked for, for preparing the statements."

1.16 Shri S. B. Gundi states in his written statement:—

"All these facts have been published in the local papers."

1.17 Sub-Inspector M. S. Varma *alias* Tasgaonkar has deposed:—

"So far as the written statements of junior officers are concerned, these are based on the personal knowledge of the officers plus such factual information as was supplied to them by the SP's office. The police did not contact non-officials.

My office functioned as a liaison office and people who cared to consult us in preparing their written statements got assistance as a result of the publication of the Commission's notification in the two local newspapers 'Samachar' and 'Sanchar'."

1.18 Sub-Inspector Khandekar has deposed:—

"I have prepared every word of this affidavit myself. I was Police Sub-Inspector at Salgarvasti Police Station from 28th October, 1965. I was at Bandobast duty during 1966 Muharram procession and thus know about it. I have stated in general about the communal trouble in Sholapur on the basis of the statements made by the people. I made enquiries about the communal riots from the Officer-in-Charge of the City Police Station, Sholapur. I visited all other Police Stations in Sholapur city and made similar enquiries as I was to make an affidavit. I have been Sub-Inspector for the last six years. I do not know that the affidavits are made on the basis of personal knowledge and not on hearsay."

1.19 Jamadar R. M. Jahagirdar of Special Branch has deposed:—

"I did not get a statement of facts from the S.P's Office. Neither the two Sub-Inspectors of the Special Branch gave me any such note. I prepared my written statement on the

basis of my own personal knowledge and on other information collected by me.”

1.20 District Magistrate has stated :—

“Only the Executive Magistrate at Punjab Talim submitted a written report of what happened there, as he had ordered firing. No other Executive Magistrate submitted any written report. After the event we gathered the officers and had collected an account of what happened at each place and prepared a note about it.”

1.21 Sub-Inspector Ashtekar has stated :

“I have made the statements in my written statement about the incidents of 1966 and 1967 on the basis of what I have read in the papers and what I have found from the permanent police records. I consulted the permanent police records as I had to give an affidavit. No general instructions were issued from the Police Department to officers as to how to prepare the statements to be forwarded to the Commission or to look up police record. No meeting of the officers concerned was held to consider what steps should be taken to prepare the affidavits.

I prepared the statement and had it typed at my P.S., went before a Magistrate for swearing the affidavit and sent it to the Commission. I paid for the stamps etc. I did not get the amount from the Government.

The work of collecting the affidavits and statements was not entrusted to Sub-Inspector Tasgaonkar.”

1.22 The overall impression that we get from the evidence is that some sort of approach was made by the police to secure the statements of witnesses and that some persons at least were provided with stamp papers etc. for the statements and affidavits. It is not clear to us as to which agency—Government or non-official met the cost of stamps and stamped paper used by the deponents.

1.23 According to the foregoing statements of the Police Officers and others, the Police took a lot of interest in seeing that proper statements were made by all witnesses, including non-officials, based on the police records. This undue interest in the preparation of affidavits by officials or non-officials on the part of the Police was objectionable. It would be considered objectionable even in the case of non-official organisations.

CHAPTER II

Events of the 17th September, 1967 in General

2.1 Disturbances occurred at Sholapur on the 17th September, 1967 during the passage of the procession on the immersion day of the Ganapati festival which lasted from the 7th September to the 17th September, 1967. The Ganapati festival of 1967 was the 75th festival since its institution and was called the Amrit Mahotsava. In view of the special occasion the number of Ganapatis installed in the city was much larger than it used to be in the previous years and the processionists also were in much larger numbers. Elaborate Police arrangements were made for the occasion to pass off peacefully.

2.2 The various items of the festival included the installation ceremony of the Ganapatis in various parts of the city by the various Mandals. Each Mandal had its own committee. Members and residents of a particular area purchase the Ganapati idol and accompany it in procession with music to their respective pandals where the idols are installed. There 'arti' is performed in the morning and in the evening and cultural programmes such as lectures, dramas, bhajans etc., are arranged for the benefit of the people in the locality.

2.3 The festival was managed by the Madhyavarti Ganesh Utsava Mandal since 1949. This Mandal used to organise the festival in a systematic manner and was also to ensure that the immersion day procession of all the public images was conducted in an orderly manner. The Mandal had about 100 volunteers who used to accompany the immersion day procession. The expenses of the Mandal were met from subscription raised from the public.

2.4 In 1954 the Madhyavarti Ganesh Utsava Mandal framed a constitution under which the Mandal had an elected President, Vice-President, Secretary and Treasurer and an Advisory Executive Committee. These committee members ensured that the right to play music in front of the mosques was exercised and that proper liaison was maintained between the public and the government officials.

2.5 The local authorities, in view of the previous communal history of the city, took a number of precautionary measures for the maintenance of peace and order during the period of the festival as communal riots did take place sometimes during this festival and especially during the passage of the Ganapati procession by the mosques.

2.6 The various measures taken were :—

- (a) The District Magistrate issued orders under section 37(1) (b)(c)(f) of the Bombay Police Act prohibiting carrying of arms, swords etc.

- (b) The S.P. issued an order under section 36 of the Bombay Police Act regulating conduct of procession and route of ropcession during Ganapati festival.
- (c) The Addl. District Magistrate issued a 'Jahirnama' containing gist of prohibitory orders under Secs. 33, 36 and 37 of the Bombay Police Act issued by the competent authorities.
- (d) The District Magistrate appointed Executive Magistrates at Sholapur at strategic points for the purpose of maintenance of law and order.
- (e) The District Magistrate formed a Peace Committee of MPs, MLAs and other prominent persons from Hindu and Muslim communities of Sholapur under Government orders.
- (f) The S.P. addressed Madhyavarti Ganesh Utsava Mandal members. The members agreed to undertake the responsibility of organising Ganapati festival and immersion procession in a systematic manner by observing various prohibitory orders. They also agreed to depute their volunteers corps for the immersion day procession and to co-ordinate the working of the different Public Ganapati Committees in different mohallas.
- (g) A new system of issuing Police passes for different Mandals for installation of Public Ganapati idols was introduced.
- (h) Two uniformed Policemen were posted round the clock at each public Ganapati idol throughout the festival to prevent any desecration or mishap.
 - (i) A special squad of task force was deputed to detect prohibition cases during the Ganapati Festival to weed out nuisance by drunkards and mischief-mongers during the cultural programmes during the festival. Dy. S.P., Task Force, Kolhapur supervised the operations under the orders of the D.I.G.P., P.R., Kolhapur. 97 prohibition cases were detected from 6th September, 1967 to 17th September 1967 and 32 persons were arrested.
- (j) A special L.I.B. scheme for collecting intelligence was set up in the district and was manned by S.I. and varying strength of H.Cs. and P. Cs. at four centres viz., Akkalkot, Barsi, Pandharpur and Kurduwadi. Similar arrangements were made for Sholapur City where important chowkies were given additional strength for L.I.B. work alone.
- (k) Adequate bandobast was provided at important chowks, cross roads, places of worship, mandirs and masjids. Mobile patrolling was arranged.
- (l) 69 goondas and anti-social communal elements (38 Muslims and 31 Hindus) were arrested under Sec. 151/Cr. P.C.
- (m) Liaison was maintained between the Peace Committee and Madhyavarti Ganesh Utsava Mandal.

- (n) The local press 'Samachar', 'Sanchar' and press reporters were specially requested to create healthy atmosphere in the town during the festival particularly.
- (o) An appeal was issued by the Peace Committee requesting public in general to celebrate the festival peacefully.
- (p) Strong barricades were erected in front of the Punjab Talim and Khatik Mosques, which were on the route of the procession and were vulnerable from communal viewpoint, to guard against any mischief.
- (q) Plain clothes men were posted on the house-tops of the Muslim pockets on the route of the procession, i.e., (a) Punjab Talim, (b) Bagwan Galli, (c) Manik Chowk, (d) Khatik Mosque and (e) in Baba Kadri Mosque area though it was not on the route of procession.

2.7 The manpower deployed for the immersion day bandobast was as follows :—

	DIG	SP	Dy. SP	PIs.	PSIs	Men
District	1	1	3	5	27	569
S.R.P. . . . .	..	..	..	3	6	190
TOTAL	1	1	3	8	33	759

2.8 In addition 100 Home Guards and three Home Guards Officers were utilised for routine duty at the Police Station in the city.

2.9 The first Ganapati in the procession is known as 'Deshrukh' Ganapati and the last is the 'Ajoba' Ganapati. The other Ganapatis take their place in between the two.

2.10 The procession starts from Haju Mai Chowk and returns after passing through Mulay Chowk, Jikriya Hotel, Choupad, Punjab Talim Mosque, Mallikarjun Temple, Bali Ves, Chati Galli, Mangalwar Police Chowky, Saraf Katta, Middle Maruti, Manik Chowk, Kasba Police Chowky and Khatik Masjid. On return to Haju Mai Chowk, the procession proceeds to Ganapati Ghat where all the Ganapatis, excepting the Ajoba Ganapati, are immersed in the Siddheshwar Tank. The Ajoba Ganapati is taken back to its destination via Laxmi Market, Vijapur Ves and Shradhanand Talim.

2.11 On this long route of about two miles lie two mosques, the Punjab Talim Mosque and the Khatik Mosque.

2.12 The procession is accompanied with musical instruments like Shahanaï, brass band, halgi etc. Religious slogans are shouted. Gymnastic feats like 'Dandpatta', Pyramids, lezim drills etc. are performed by members of the different mandals at important chowks. Gulal, coins, and parched rice are thrown on the processionists.

2.13 Disturbances occurred when the procession passed the Punjab Talim Mosque and the Khatik Mosque. Disturbances also took place in the lane in front of Baba Kadri Mosque which is not on the route of the procession but has been a trouble spot in the past and is at a distance of about a furlong from the Punjab Talim Mosque.

2.14 Besides the disturbances which took place at these three places during the onward march of the procession, a slight disturbance also took place near the Khatik Mosque when some of the processionists were returning after immersing the Ganapatis.

CHAPTER III

Events at Punjab Talim

3.1 Reference to the plan (Annexure VI) will be helpful in appreciating the evidence about the incidents at Punjab Talim.

3.2 The Ganapati procession on the 17th September, 1967 consisted of about 300 Ganapatis. Sub-Inspector Ashtekar with 20 constables was at the head of the Ganapati procession. The procession started from Haju Mai Chowk at about 3 P.M. and the head of the procession reached the same place after covering the route at about 6-30 P.M. Sub-Inspector Ashtekar remained standing there till about 9-25 P.M. when he learnt of the trouble at the Punjab Talim Mosque. Dy. S. P. Ghorpade, certain other officers and he then proceeded towards the Punjab Talim. According to him, when he reached the Punjab Talim Mosque, no trouble was taking place there and the Ajoba Ganapati was passing.

3.3 D.I.G. Thorat was at the Punjab Talim from 3 P.M. that day. What happened there is described by him thus :—

“At about 8-30 P.M. the D.A.V. College Ganapati procession arrived. The Ganapati stood in front of the verandah at the south eastern end of Punjab Talim Mosque and the College processionists extended a little beyond the gate of the Mosque. After their arrival the boys began to shout slogans. They shouted abusive slogans like “PAKISTAN MURDABAD” “AYUB KHAN MURDABAD”, “HINDUSTHAN HINDUONKA NA KISI KE BAPKA”. They shouted these slogans for fifteen minutes. They stood for sometime and they moved up and down. The College boys did not actually pass the Punjab Talim Mosque gate. We, the members of the Mandal and the Peace Committee, tried to push them on. The students did not move on but they changed their slogans to abusive slogans. This shouting of abusive slogans went on for about fifteen minutes. There was no provocation from anyone to the boys to change their slogans; they changed the slogans on their own. Just as the first round of abusive slogans were shouted, there commenced light stone throwing with pebbles and very small stones. The abusive slogans continued but we tried to push them on as also push on the Ganapati forward but we did not succeed for fifteen minutes. The number of college boys in the procession was about 800 and there was a fairly large number of other people. There was no throwing of pebbles soon after their arrival but the pebbles were thrown at the start of the abusive slogans. At about 8-50 P.M. we decided to push them on and succeeded in forcibly pushing them on. In this members of the Mandal and the Peace Committee helped the police. When these slogans

were going on I made a show of force by calling up the reserve police and other constables and posting in front and behind and on the flanks of the processionists. The procession moved on at about 8-50 P.M.

When the boys were about to leave Zainuddin and Bakshubai left that place with some excitement. At that time stone throwing with some intensity started. By the time Zainuddin and Bakshubai left, the College boys had moved on farther than the gate of the Punjab Talim Mosque and then the stone throwing started. The boys stopped shouting and they passed by Punjab Talim Mosque and they moved fast on account of the stone throwing. The small pebbles thrown first came from the first floors of the houses nearby the Punjab Talim Mosque. Stones, brickbats, soda water bottles, old utensils, etc., were also thrown from the houses. The Jail Road Ganapati arrived in front of the Punjab Talim Mosque about 9 P.M. When the Jail Road Ganapati came, a big stone was thrown at Bhima Shankar Nivarati, constable, by someone. He was standing near the electric pole. About the same time the Muslims shouted slogans like: "PAKISTAN ZINDABAD", "AYUB KHAN ZINDABAD". The Muslims did not shout these slogans during the period when the college boys shouted slogans. There was also a slogan "DIN DIN DIN PAKISTAN ZINDABAD". These may be two slogans which might have been mixed up in shouting. The stone throwing and slogans shouting went on for another ten minutes. When the stone hit Bhima Shankar I was somewhere on the side of the street opposite to the electric pole and looking north. I heard people say that this was done after receipt of a signal from Zainuddin and Bakshubai. Some responsible persons further told me that they had run away via the Zainuddin Lane and that he told the people to go ahead and that he would see. When these stone throwing and slogan shouting increased and when I saw several persons with bleeding injuries I asked Dy. S.P. Pawar to approach the Magistrate and obtain orders for opening fire. Dy. S.P. Pawar obtained the necessary orders from the Magistrate at about 9-15 P.M. and arranged for opening of fire by Constable Suryavanshi. The constable fired from the turning of the Qazi Lane with the street. He fired five times at the first floors of House Nos. 560 and 467 (457). The doors of the ground floors of the houses were closed; some stones might have been dropped over the compound wall as well but most of the stones came from the first floors of the houses.

Constable Suryavanshi fired five rounds. When he was firing he was hit by a brick as a result of which he fell down. When he was falling down Dy. S.P. Pawar took the rifle from the Constable's hand and fired one shot. The firing ceased at 9-25 P.M. The situation quietened thereafter."

3.4 His version finds support from the other statements made by witnesses before us and the statements made in the written statements submitted by others to the Commission.

3.5 There is only some slight variation in the statements of a few witnesses in regard to the students of the D.A.V. College shouting the aforesaid abusive slogans and about the light throwing of stones by the persons from the first floors of the houses on the procession of the students when the abusive slogans started. Most of the statements support D.I.G. Thorat's version that the students did shout abusive slogans on being pushed to move forward and that the shouting of such slogans led to light throwing of small stones and pebbles at the students.

3.6 There is unanimity in the statements of all the witnesses deposing about the incident at the Punjab Talim that the moment the Jail Ganapati reached the Punjab Talim Mosque, a big stone was thrown at Constable Bhima Shankar Nivarati and that simultaneously the Muslims shouted slogans like 'PAKISTAN ZINDABAD', 'AYUB KHAN ZINDABAD', 'DIN DIN DIN PAKISTAN ZINDABAD' and that stone throwing increased.

3.7 There is also unanimity in the statements about the stone throwing starting after Zainuddin, a member of the Peace Committee and Bakshubai, who were present at the Punjab Talim, left the place. There is some evidence that stone throwing started after these persons had given some signal. D.I.G. Thorat has deposed:—

"I heard people say that this was done (stone was thrown at Bhima Shankar Nivarati) after receipt of a signal from Zainuddin and Bakshubai. Some responsible persons further told me that they had run away *via* the Zainuddin Lane and that he told the people to go ahead and that he would see."

3.8 Shri S. M. Dhanshetti, Chairman, Central Ganesh Utsava Mandal, who was at the Punjab Talim between 8 and 9-30 P.M. states:—

"I take it that going out of Zainuddin and Bakshubhai were a signal to the Muslims for pelting stones. I do not think that the Muslims might have started pelting stones on losing their patience on hearing such slogans because such slogans were being shouted by the small children only."

3.9 Jamadar Naikwadi of Special Branch states:—

"About half an hour or 45 minutes before the start of pelting of stones Zainuddin came to me on the roof and asked me to go down as the College boys, noticing me there, were shouting more slogans. I told him that I could not leave my post without the orders of my superiors."

3.10 Shri Bhosale, the Magistrate, has stated in the written statement:—

"The students continued shouting the objectionable slogans and at 8.45 P.M. Shri Zainuddin Abdul Rahiman, a member of the Peace Committee and Shri M. Bakshubhai, a prominent person in the locality, who were standing just near me and the D. I. G. disappeared suddenly. During the time when the students were shouting objectionable slogans, I marked that both the above persons to be restless and moving here and there and murmuring something."

3.11 He deposed before us:—

“I did not expect anything on account of the restlessness shown by these people when they disappeared. Partly that might have been due to the annoyance at the shouting of the vulgar slogans by the students. After the disturbances started I thought their conduct was due to there being some conspiracy about it. I did not interpret their mere going away from the platform a signal for the starting of the trouble. Before going away Zainuddin took off his cap and clapped with it and went away. I do not think that that was a sort of a signal for the trouble to start.”

3.12 Sub-Inspector Tasgaonkar of Special Branch deposed:—

“Shri Zainuddin waved the Gandhi cap and disappeared from the platform and Shri Bakshubhai was amidst the processionists. He too disappeared.

Stone pelting started within five minutes of the waving of the cap and their disappearance.”

3.13 Shri Zainuddin and Shri Bakshubhai were prosecuted by the Police and tried in Sessions case No. 50 of 1968 by the Sessions Judge, Sholapur. They were convicted of the offences u/s 120B, and 323 read with s. 114 and s. 295 read with s. 114 of I. P. C.

3.14 The Court held that—

- (1) an unlawful assembly was formed near the Punjab Talim to attack the Ganapati immersion procession;
- (2) the criminal conspiracy was hatched, the common object of which was to attack the Ganapati procession with stones, brick-bats and soda-water bottles and to cause hurt to the processionists and other persons, who were engaged in keeping Ganapati idols;
- (3) they were the ring leaders and had switched on the attack on the procession; and
- (4) Zainuddin and Bakshubhai were enraged by the filthy slogans given by the College students and as they had already collected their henchmen near the Punjab Talim, in case of emergency, they had asked their followers to start the attack. This shows that they were parties to the criminal conspiracy, which was formed then and there, the common object of which was to attack the Ganapati immersion procession, damage the idols and cause hurt to the processionists.

3.15 Shri Pawar, Dy. S. P., Task Force, was the supervisor in charge and was posted at Punjab Talim. The force under him consisted of one Inspector (Shri Bhonsle of S. R. P.), three Sub-Inspectors from city (Sarvashri Pargunde, Joshi and another), one Sub-Inspector of the S. R. P., 31 men from S. R. P., eight men from Police Stations and ten plain clothes men of the L.I.B.

3.16 The Policemen were scattered along the route. Only a few plainclothes men were near the mosque. He describes the operation of 'show of force' and its effect thus:—

“D. I. G. asked me to get more men. He thought that the presence of more men would act as 'show of force' for the boys to behave. But the arrival of extra force did not create any impression on the boys, so we actually pushed the College Ganapati onwards.”

3.17 He states further regarding the conduct of the College boys and the stone throwers:—

“A few pebbles fell in the area nearabout Qazi Galli. I then asked the boys to stop shouting the objectionable slogans and they stopped shouting and then asked them to move ahead. The request for stopping stone throwing had no effect. The stone throwing continued and the tempo of stone throwing increased when the Police came in front of the mosque.”

3.18 Shri Pawar also deposed about the damage caused by the processionists after the stone throwing started. He stated:—

“During the period of the raid (riot) some of the processionists had set fire to a tin shed in House No. 456 and some shops on the other side of the street. The Policemen started extinguishing the fire. The fire brigade was sent for. It also helped in extinguishing the fire.”

3.19 The miscreants could not be arrested as the houses were set on fire during the stone throwing and the Police were busy in dealing with the processionists.

3.20 Shri Pawar's further statement is that after the situation quietened down after the firing, the Police succeeded in arresting all the persons from the houses in the area. They were all males above the age of 19 years. Seven or eight of them were wearing sarees, possibly to avoid arrests.

3.21 Sub-Inspector Pargunde was at the Punjab Talim from 10-30 A.M. on the 17th September, 1967. He describes the deployment of the force at the Punjab Talim thus:—

“There were 31 S. R. P. Constables and 8 District Police Constables in plainclothes. The Police force was spread out on all sides of the Punjab Talim Mosque. There was 1 Head Constable and 4 Constables in front of the mosque.

About 19 Constables were on duty along the road in front of the mosque. All the officers, viz., Dy. S. P. Pawar, S. Is. Patil and Chajjuram and myself, were also in front.

About 15 men of the Madhyavarti Ganesh Utsav Mandal and some members of the Peace Committee were moving up and down the road in front of the Punjab Talim. None was seated in the platform at the Punjab Talim.”

3.22 He states:—

“When the D.A.V. College students procession had passed in front of House No. 457 and the Jail Road Ganapati was in front of the Punjab Talim Mosque, stone pelting started from the houses (Nos. 561 and 562) opposite to the Punjab Talim Mosque. No stone pelting was done on the procession of the D. A. V. College students.”

3.23 Later on he stated:—

“The stone throwing started in the first instance from House No. 457 and houses opposite this house. The stone throwing was done on the College procession and the two small Ganapati processions behind it. When the Jail Road Police Ganapati procession reached near the Punjab Talim Mosque, the stone throwing started from houses, namely, 560, 561, and 562, and houses 481 and 482. The stone throwers were also shouting slogans ‘Pakistan Zindabad, Ayub Zindabad’. The stone throwing continued for about 30-40 minutes. The stone throwing stopped when shots were fired. About 55 people got injured in the incident near the Punjab Talim Mosque. About 20 of them were Policemen. Lights went off at about 9 P.M. I was then sent to the back of the mosque. I went to the back of the mosque. There was stone throwing from house tops there too. Two Constables were posted there. The stone throwing stopped and then I returned to the front of the mosque. The lights went off and remained so for a period of about 12 minutes. I cannot say whether the lights went off as a result of switching off the main switch or as a result of current failure.”

3.24 Jamadar Jahagirdar of the Special Branch states:—

“Severe stone pelting followed after the persons shouted “Nara-e-Takbir”, “Allah-ho-Akbar”, “Pakistan Zindabad” and “Ayub Khan Zindabad”. Stones, brick-bats and soda water bottles were thrown. When the severe stone throwing started on the people in the procession, they began to flee. The processionists fled away along the street or along the lanes branching off from the main street.”

3.25 He further deposes about a Ganapati following Ajoba Ganapati and states:—

“Five or six minutes after the Ajoba Ganapati had passed the Punjab Talim, Shri Shankar Lonari and some other persons came driving a cart with a Ganapati and went along the Ganapati procession route. We tried to stop them. The persons accompanying that Ganapati would be 30 or 35. They were carrying the cart with such a speed that they could not be stopped by us. We tried to stop this Ganapati as according to the practice the Ajoba Ganapati had to be the last Ganapati of the procession.”

3.26 Jamadar Naikwadi of the Special Branch was at the Punjab Talim and has stated:—

"I looked southward and noticed people setting fire to Kalshetti's firewood depot. Two or three S. R. P. Constables rushed that side."

3.27 He had left his cycle in that firewood shed and found it burnt when he went there at 12-15 A.M. that night.

3.28 Shri Bhosale, Magistrate, deposed that the arrested persons were men only and that two or three of them were in sarees.

3.29 Sub-Inspector Varma *alias* Tasgaonkar has deposed:—

"Two constables were on the top of House No. 514 and two were on the top of the Punjab Talim Mosque. In all, four house tops were covered.

The only presumption we can draw from the posting of the constables on the tops of the houses and the mosque is that no Muslims were there and no stones were thrown from there. But missiles could have been thrown from other parts of the houses."

3.30 He has further deposed about the damage caused by the processionists:—

"By the time Ajoba Ganapati came near the Punjab Talim the processionists had damaged the doors of the three rooms of House No. 488 and had the cycle of Jamadar Alli Ladle set on fire. He was in plainclothes. The cycle was in the wood stall there. The kariyana shop No. 559 was damaged and shed of House No. 456 was set on fire. The fire brigade engines came within about 15 minutes time. The police was extinguishing the fire during this interval."

3.31 Shri A. R. Siddappa Oname who was with the procession and accompanied the Ganapati second from the College Ganapati deposed:—

"There were menfolk on the roof, balcony and outside the houses of Muslims along the route but there were no women or children."

CHAPTER IV

Events at Baba Kadri Mosque

4.1 Reference to the site plan Annexure VII will facilitate appreciation of the evidence about the incidents near Baba Kadri Mosque.

4.2 Police arrangements were made at the Baba Kadri Mosque on account of its being a vulnerable point for communal trouble even though the Ganapati immersion procession did not pass by that mosque. The mosque is about a furlong from the Punjab Talim. Reserve Sub-Inspector Gulab Singh was posted at Baba Kadri Mosque from the 7th to the 17th September, 1967, in charge of the Police force consisting of one Head Constable and 9 constables of the S.R.P. What happened at that mosque subsequent to the incident at the Punjab Talim is described by him thus:—

“At about 9-30 p.m. Dy. S. P. Ghorpade and other officers and men of the S.R.P. came there and enquired about the situation. I told them that it was all right. When they were leaving I learnt from them that there had been some trouble at Punjab Talim Mosque. I then sent people for patrolling out of my own men. P. S. I. Shetty and my constables were also there. Shortly after I heard slogans ‘Ganapati Bappa Morya’ from the direction of Malikarjun and Kiriteshwarnath.

My men were patrolling on that side. When the intensity of the slogans increased, I with four men moved in that direction. When I started from the mosque towards that junction the slogans started from the Shaul-e-Chawri (Shahapure Chaul) behind the houses along the streets. The shouts were ‘Nara-e-Taqbir’ and ‘Allah-ho-Akbar’. By the time I reached the junction of those lanes in the main street the mob had not come to the main street. I stopped them at the junction. Mob on the Malikarjun lane did not start because the Ganapaties were not being passed through the street in front of the Baba Kadri Mosque.

I could only see one Ganapati on the bullock-cart drawn by the men themselves and not by the bullocks. There the people would be about 700 or 800. Brickbats and soda water bottles were thrown on us and on those persons, coming from the houses on both sides of the street and were thrown on the processionists in the lanes. The stones could reach them. I told them not to throw stones but stone throwing got more intense. In the meantime Sudhakar N. Appa came running from the Ghazi Mohalla and stated that five or six Muslims had caught him and that he escaped.

I went to the junction along with Appa. I found a lathi and a pair of sandals but there was no purse. These things were found near a little ahead of a milk seller's house. Kalappa, one of our men in plainclothes, was on the top floor on that

milk seller's house. He came down and flashed a torch and that saved Appa. I then sent him to the Control Room for sending further force. I returned to the junction of the street. The mob was being held by the Havildar. Stone throwing was still in progress. I also got hurt. I then pushed back the mob. Stones fell on one of my constables. It struck his helmet and he sat down. I was also hit by a stone. I laid him before the shop and he gained consciousness after some time. When the constable gained consciousness I heard a sound of gun fire from the side of the mosque. At that time the entire light of the street was off. From the lane again shouts came of 'Ganapati Bappa Mourya', 'Ek Do Pakistan Tor Do'. Throwing of soda water bottles increased from the tops of the houses. Dy. S. P. Ghorpade, Ashtekar, Khandekar and half section of the S. R. P. arrived there and held the mob. Ashtekar and half section was left with me, Ghorpade and Khandekar went further.

After some time I heard another gun fire, Khandekar came and took Ashtekar and half section of the police. There was a light on in the street. After some time more police arrived. The mob again threw more stones. I was feeling pain. I went to Dr. Chidgupkar and was attended to by him. When I returned from the doctor's place the situation was quiet. The street was full of brickbats and soda water bottles. It would be past 9-30 P.M.

The crowds in the lanes just kept on shouting 'Ganapati Bappa Murya', 'Ek Do Baba Kadri Masjid Tor Do'.

When the lights came and more police arrived the Ganapati was taken back."

4.3 The junction of Malikarjun Lane and Kiriteshwarnath Lane is about 50 yards north of the Baba Kadri Mosque Gate. The Hindu mobs which were coming from those lanes were successfully stopped by the Police party at the junction and were not allowed to come on to the road passing in front of the Baba Kadri Mosque. It appears from the statement of the S. P. that this road had been sealed to general traffic especially to the Hindus, in view of the vulnerable nature of the area and that there were only the Police people in that lane.

4.4 The S. P. has deposed:—

"This year we had sealed the street passing in front of Baba Kadri Mosque. Only the Police people could pass through the street on the 17th September, 1967 during the procession period."

4.5 The shouts from the processionists in the lanes led to the shouting of the slogans from Shahpure Chawl behind the houses along the streets, the slogans being 'Nara-e-Takbir' and 'Allah-o-Akbar'. Along with these slogans brickbats and soda water bottles were thrown on the Police party and the processionists from the houses on both sides of the road, even before the processionists had

emerged from the lanes on the road. Simultaneously it appears that trouble had started in the other adjoining area, viz., Ghazi Mohalla, which is from east to west, north of the Baba Kadri Talim.

4.6 Stone throwing, etc., also started from the mosque and the nearby lanes to the east of it on the Hindu houses to the south and east. The trouble in this area was tackled by other police officers, viz., Dy. S. P. Ghorpade, and Sub-Inspectors Ashtekar, Khandekar and Bhosle. It would appear from the plan that there is a road running at some distance south of the Baba Kadri Mosque. There is a house of Mahajan Vakil practically at the junction of the road running in front of the Baba Kadri Mosque and the street running east-west south of Dr. Chidgupkar's house. What happened in this portion we may now get from the statement of Dy. S. P. Ghorpade.

4.7 Dy. S. P. Ghorpade on learning at the Punjab Talim about the steps taken by Sub-Inspector Gulab Singh to stop the Ganapati processions trying to proceed in front of the Baba Kadri Mosque from the two lanes—Malikarjun Temple Lane and Kiriteshwar Lane—and about the throwing of stones and burning swabs reported the matter to the D.I.G. and left for the mosque with certain Police officers. Before they could reach the junction where Sub-Inspector Gulab Singh was stopping the processionists, they got involved with the rioters on the south of the Baba Kadri Mosque and could reach Sub-Inspector Gulab Singh after some time. By the time they reached Sub-Inspector Gulab Singh, many of the persons had gone away, the Ganapatis were there and the persons still present were sent back to follow the regular route of the procession to the immersion ghat.

4.8 Dy. S. P. Ghorpade had described the incident in the written statement thus:—

“As we reached the house of Dr. M. J. Chidgupkar we found that soda water bottles, burning swabs, stones and brickbats were being thrown from the roofs of the houses of Muslims on the house of Dr. M. J. Chidgupkar and other Hindu houses. This throwing of stones and other missiles was being carried out by a crowd of Muslims from inside the mosque also. The Muslims were shouting the slogan ‘Nara-e-Takbeer—Allah—Akbar’. I reached the mosque at about 21-55 hrs. and found that the gate of the mosque was chained from inside. We all told the Muslims that we are policemen and asked them to stop throwing stones and also warned them that if they won't stop throwing, we may open fire. The stone throwing continued and I asked S. I. Bhosale to climb the gate and S. I. Ashtekar to climb the northern compound wall to find out from where the miscreants were throwing the stones. They climbed the gate and the compound wall respectively but both of them were so badly hit by stones that they had to open fire in self defence. S. I. Bhosale fired two rounds but they were misfired and S. I. Ashtekar fired four but none was injured by these bullets. I directed the officers and S. R. P. section with me to jump in the mosque from over the front railings to the north of the gate, and break open the chain of the

gate, and open it. This was done and as soon as the gate was opened I ordered the section to make a lathi charge on the mob inside and to arrest the miscreants. We arrested 34 miscreants inside, but some of them escaped. While the arrested persons were being brought from the mosque, I heard shouts of 'Ganapati Bappa Moraya' coming from outside. I directed S. I. Bhosale to guard the lane in front of the Baba Kadri Mosque and not to allow any Hindu processions from that lane towards the mosque and took the arrested persons with the S. R. P. section towards Dr. Chidgupkar's house, kept the SRP section and arrested muslims on the road, and rushed in the direction of the slogan shouters. On coming by the southern road and turning left I found some 5 or 6 Hindus leaving a burning hand cart to the south of Dr. Chidgupkar's house and running away on seeing me. At this juncture I heard two revolver shots coming from the direction of where I had posted S. I. Bhosale. I came back with S. Is. Ashtekar and Khandekar towards the mosque and contacted S. I. Bhosale, and learnt that he had to open fire in self defence because the miscreants from the roof tops stoned him badly. The street lights had failed. From near the mosque I saw burning swabs and stones being flung from the roofs of the houses of Muslims by the side of the lane. The lane was however, deserted. When I was returning along the lane with S. I. Bhosale a burning swab fell between me and Bhosale. I left one half section of the S. R. P. at the mosque and posted S. I. Bhosale to look after the Kali Mata Lane and proceeded to meet S. I. Gulab Singh with S. Is. Khandekar and Ashtekar. There was a heavy stone throwing from the building known as Shahapure Chawl. P. S. I. Gulab Singh and his party had stopped the Hindu crowd in the two lanes which bifurcates from this road. S. I. Gulab Singh and his partymen had sustained stone injuries and needed some help. I therefore detailed S. I. Ashtekar to get the half section of S. R. P. from the mosque and posted him with that section at the Kiriteshwar Math lane to help S. I. Gulabsingh Ramsingh. At about this time, I heard two shots from the direction of the Kali Mata Lane where I had posted S. I. Bhosale. I proceeded with S. I. B. M. Khandekar towards the mosque and at this time stone throwing from Shahapure Chawl was going on. I gave my torch to S. I. Khandekar and took his revolver. As the stone throwing was heavy we climbed the narrow projection of the plinth of Baba Kadri Talim. Before we climbed the plinth S. I. Khandekar was hit by stone. After I stood on the projection plinth, I was hit by a stone on my helmet and this caused a dent in my helmet. The stone throwing was coming from the Shahapure Chawl and other buildings and there was no convenient shelter also nearby. I, therefore, in self defence fired four rounds in the direction of the roof of Shahapure Chawl in the torch light which S. I. Khandekar had flashed in that direction. Two of the rounds were misfired and out of the two bullets which were fired one hit a man who was standing on the roof and throwing stones. After this, stone throwing decreased and shouting of slogans also

stopped in this area. So after I had fired the shots, the S. P. Shri Dravid and a tear gas gunner came there and joined me at Baba Kadri Talim. I reported the firing on the Shahapure Chawl and the S. P. directed P. S. I. Khandekar to go to Shahapure Chawl and look out for the injured persons, and I and the S. P. then proceeded towards S. I. Gulabsingh Ram-singh. The S. P. again gave a warning to the miscreants from in front of Shahapure Chawl to stop stone throwing. After coming back to the mosque, S. I. Bhosale had fired four rounds one of which was fired accidentally when he was hit by stone, and 3 against miscreants in the lane between the mosque and the Talim. I rushed with the S. P. and other officers and organised a round-up of the miscreants inside the Baba Kadri Mosque again. S. I. Ashtekar and some S. R. P. men were sent on the roof from the back side of the mosque on the terrace. This resulted in the arrest of 5 miscreants inside the mosque and 12 on the terrace of the mosque. Platoon Co. Marihal chased miscreants who were running away from the lane and arrested them and as these miscreants were being escorted towards the front side of the mosque, the street lights came back at 22-25 hrs. I was ordered to arrange for removal of the injured persons to the hospital and the rest to the police station. In all 89 persons were arrested. Large quantities of stones, brick-bats, soda water bottles, one knife, lathies and iron bars were found in the mosque and from the roof of a house in the vicinity of the mosque, stones and other missiles and chilli powder mixed with water and the spare quantity of chilli powder were found."

4.9 He has expressed the opinion:—

"From the above, it would appear that this riot took place immediately after the riots at Punjab Talim Mosque. This was a preplanned riot and was started without any cause or provocation. The attack was mainly directed against the police and the few Hindu houses which are in this locality."

4.10 Sub-Inspector Ashtekar has given the details of what he actually did under the directions of Dy. S. P. Ghorpade. He has deposed:—

"When we reached in front of Mahajan Vakil's house I noticed brick bats and soda water bottles being thrown from the mosque and houses on the north of it on the passersby and towards the Hindu houses namely Nos. 852 and 853. Passersby were about 60 in number. There was no Ganapati procession on the road then. When we reached Dr. Chidgupkar's house Dy. S. P. Ghorpade instructed the officers about the positions they were to take. I was then posted at the Baba Kadri Masjid. The pelting of stones, etc., were increased in spite of our telling them that we were policemen. Shri Bhosale and I then got on the railing of the gate to see into the mosque. I could not see anything inside the mosque as it was quite dark. They were throwing brickbats on me. I then fired with my revolver. It was quiet for sometime inside the mosque. I got down from

the railing. I told Dy. S. P. about the happening. He insisted on my and Khandekar's going into the mosque and opening the gate. We succeeded entering the mosque. We then broke the chain of the door with stones and thereafter other police officers also entered the mosque. 60 or 70 people were inside the mosque and they attacked us. We lathi-charged them. Some of them fled away. We could arrest only 34 persons. The place of fight was outside the prayer portion of the mosque. Some rioters ran away from the northern door of the mosque. The arrested persons were handed over to the officer Incharge of S. R. P.

Coming out of the mosque a burning cart was noticed in front of House No. 764. The sounds of 'Ganapati Bappa Morya' were heard. I proceeded in that direction. About 100 or 125 people were there. They dispersed. I heard some sounds of bullets. I did not proceed in that direction. I remained near the arrested persons. Later we heard a noise of 'Ganapati Bappa Morya' from the side of Kalkadevi temple. I then proceeded in that direction and dispersed people in that lane. It was a Hindu mob. On return I was directed by Ghorpade to proceed towards Kiriteshwar Math lane where there appeared to be some trouble. We found Gulab Singh, Sub-Inspector and the policemen there trying to disperse Hindu mob coming from those lanes towards Baba Kadri Mosque. We helped Gulab Singh and succeeded in dispersing the mob. Pelting of stones, soda water bottles, etc., continued throughout though it got a little less after my firing a few rounds from the railing of that mosque. Burning fire balls were also being thrown from the houses in the lane.

I remained with Gulab Singh, S. I. Some of the force returned towards the mosque. About 5 or 10 minutes later I was called by the S. P. The stone pelting was taking place from the mosque at the time.

I was directed to go to the back of the mosque. I went there and went up to the roof of a house by the staircase and from there jumped inside the mosque. We arrested 12 persons from inside the mosque. On the roof of the house I found water mixed with chilli powder, brickbats and stones. These articles were not attached at that time. I and the 7 or 8 constables with me escorted these arrested persons to the front of the mosque. Thereafter the lights came on. The injured persons were taken to the Civil Hospital. When we went inside the mosque we found stones and brickbats stored at different places. Soda water bottles were also kept in crates. Some crates had a capacity for holding 6 bottles and some 12."

4.11 Sub-Inspector Bhosle though summoned was not available as he, having met with an accident, was in hospital and was unable to move. He submitted his written statement in Marathi. The office translated it into English. We refer to this translation. He has stated

in his written statement what he did under the directions of Dy. S. P. Ghorpade:—

“By the orders of Shri Ghorpade at about 9.40 I went to Baba Kadri Masjid to see whether there was any disturbances. From Muslim houses and Masjid stones, soda water bottles etc. were heavily thrown on the Hindu houses. The Muslims were shouting slogans as ‘Nara-e-Taqbeer; Allah-ho-Akbar’. I informed this situation to Shri Ghorpade.....”

4.12 Thereafter Ghorpade, S. I. Bhosle along with other officers returned to Bawa Kadri area. S. I. Bhosle further states:—

“We reached the gate of Masjid but it was chained. Stoning was made and as such we shouted “we are police, stop the stoning, otherwise firing will be done.” But no use. Therefore, Shri Ghorpade asked me climb up from the gate and asked Shri Ashtekar to go in from the northern side of iron fence and see where the culprits were hiding themselves. I had just climbed the gate and all of a sudden stones and bricks were hurled from terrace of Masjid and terraces of the nearby houses. I was not in a position to go inside the Masjid nor get down back. At that time stones were thrown on my helmet, one on wrist, one on thigh and one on the left knee. I was injured and was getting terrific pain. Under such circumstances I fired two bullets in the direction of the rioters in self protection. Both the bullets were misfired. It was 9-50 P.M. At that time Shri Ashtekar also fired. I took the chance and got down and gave the information to Shri Ghorpade. The stoning was in full force from East-North side of the Masjid. Then Shri Ghorpade gave orders to lathi charge. Ashtekar, Khandekar, S. R. P's party and other officers managed any how to enter in the Masjid. Shri Ghorpade and others broke down the chain of the gate and entered in the Masjid. Rioters fought inside and therefore we lathi charged them and arrested 34 people. At that time we saw fire near Dr. Chidgupkar's house and also heard the slogans as “Ganapati Bappa Morya” Shri Ghorpade, Shri Ashtekar, Shri Khandekar, Shinde and Marihal came outside. Shri Ghorpade asked me to stop there, only to look after the stoning which was being made from Masjid, front and East-North side of the Masjid, and the gate of Kalka Devi. Then Shri Ghorpade along with the arrested people went to Dr. Chidgupkar's house. As soon as I left alone, the stoning from the front of and East-North side of the Masjid became very heavy. A stone struck my helmet and another one on my chest and I got injured. Two soda water bottles broke in front of me. Since the stoning became so heavy and there was no place to hide I fired two bullets to the East-North side of the Masjid. The light went off. The stoning stopped from the side where I fired. It was about 10 P.M. Shri Ghorpade came to help me. Then we went in Kalika Mata Gali. Nobody was there. A burning torch fell down in between us. When I was explaining him the situation, we heard from Mallikarjun Temple and Kiriteshwar Math Gali the slogans of ‘Ganapati Bappa Morya’. Shri Ghorpade asked

me to stop near Masjid and watch the Kalika Devi Gali and to give signal if the Hindu procession comes from that gali. Then they went to Mallikarjun Temple gali. At that time a burning torch was thrown near Hindu house in Kalika Devi Gali. I went to see from where it was thrown. As soon as I went about 30—40 feet away from all sides the heavy stoning was made and a burning torch was thrown on my body. I missed it very quickly and extinguished it. I was facing the Masjid when a stone was thrown on my helmet. A stone hurt me on the back and a soda water bottle broke down in front of me. From all sides I was attacked and there was no place to hide nor there was anybody to help me and as such I had to fire two bullets on the direction of North East side of Masjid where from the stoning was made, in self protection. It was about 10-10 P.M. Nobody was hurt. I loaded my revolver while I was going through the stoning place I saw 2-3 rioters standing in the north side gali of the Masjid. I was going to that place when a stone struck my helmet and then my nose and left eye. I was badly hurt and blood was running from my nose. Because of this storke of stone, a bullet was automatically fired from my revolver. I anyhow, managed to reach near the Talim. At that time Police Superintendent of Sholapur Shri Dravid was present there. He sent Ganer Laxman Kashaba to me and I sent him the message through Kashaba about the event. At that time from Masjid and terrace of Masjid stoning started. Two soda water bottles broke down behind me. A stone came from the West side of Masjid, struck my left hand and I was getting severe pain. Since there was no place to hide I had to fire three bullets in self protection on the west side of Masjid terrace. One of the bullets was misfired. The stoning was therefore stopped. It was about 10-15 P.M. Then came Shri Dravid and Shri Ghorpade. I explained them the whole situation. Since the stoning was in force from Masjid, Shri Dravid asked Shri Ashtekar to go along with one/two SRP sections in the terrace of Masjid from backside and arrest the rioters. Shri Ghorpade asked Khandekar to enter the Masjid. At that time a woman came and said that her husband had been injured because of bullets in Shahapure Chawl. Along with a few people of SRP I went there. In the First Floor of Shahapure Chawl Yusuf Wireman was injured. I took him down with the help of SRP's few people and asked others to arrest the riotous people on the terrace. Shri Dravid asked me to take the injured one along with other injured people to hospital and to Faujadar Chowdi Police Station. At that time lights came once again. The injured people were sent to hospital.

The following people were injured due to the firing I made to the western side terraces:—

- (1) Usman Khajabhai Shaikh, living at North Kasaba, House No. 770.
- (2) A. Bashir, Mahiboob Sahib Momin, living at North Kasaba, House No. 770.

These were also sent to the hospital. While arresting following things came to the notice. (1) On the terrace of house No. 330 of Shahapure Chawl a lungi stained with blood, dagger, stones, bricks (2) A Hindu's house was damaged (3) In the corner of Masjid a heap of bricks, 10 soda water bottles (4) In the terrace of House No. 770 water of chatani, Chatani, Kerosene, Sticks, iron and at other place stones, bricks, lathis, iron etc. injurious weapons."

4.13 Dy. S. P. Ghorpade has deposed before us:—

"I noticed many brickbats, soda water bottles etc. inside the mosque. Most of them were piled up near the entrance to a room on the south side of the mosque. Some brickbats were in the ditch inside the gate.

I did not go up to the roof of the mosque or house but my officers reported that they saw stock of chilli powder mixed with water on the roofs of the mosque and houses of Muslims. I had photographs taken on the articles kept on the roof of Shahapure Chawl that night."

4.14 Sub-Inspector Khandekar supports the statements of Dy. S.P. Ghorpade, and Sub-Inspectors Ashtekar and Bhosle and deposed what he himself did after Sub-Inspectors Bhosle and Ashtekar had fired at the people inside the mosque:—

"There was some quietness and Dy. S.P. Ghorpade asked me and Sub-Inspector Ashtekar to get in. I also climbed up the railing and Ashtekar and myself got inside the Masjid. We broke open the lock by hammering it with stones and opened the gate. After the gate was opened, Dy. S.P. Ghorpade and other members of the Police force entered the Masjid. When we climbed up the railing and got inside the Masjid we found the rioters were inside the Masjid. The lock was broken in a minute or two. The rioters attacked us and the party lathi-charged them. Some of the rioters escaped through the door on the north. We could arrest 34 rioters. No policemen were posted at the gate. The time now would be about 10 P.M."

4.15 Sub-Inspector Khandekar also deposed of what he did after S.P. Dravid reached the spot. His attempt is:—

"In the meantime S.P. Dravid reached the spot. He asked me to go to Shahapure Chawl to see if there were any injured persons there. When we reached there, we found the gate closed. We came back.

Then the S.P. asked me to fetch Shri Ashtekar and his party to the mosque as the stone throwing again started from the side of the mosque. I then took Ashtekar and his party to the mosque.

Ghorpade and I entered the mosque by the gate and found five persons inside the mosque and we arrested them. Shri Ashtekar and his party went from behind the mosque and found 12 people and they arrested them.

We brought the arrested persons to Dr. Chidgupkar's house and by that time the lights came on."

4.16 S.P. Dravid reached Baba Kadri Mosque at about 9.50 or 10 P.M. on learning of the heavy stone throwing there and has described what he saw and did there thus:—

"When I reached near the entrance to the street in front of Bawa Kadri mosque I found a hand cart burning there and a Hindu crowd nearby and the whole street up to Kiriteshwari Math was in darkness.

Stone throwing was then in progress near the mosque. I also found stone throwing in progress near the entrance to Malikarjun Lane. I warned the people to stop stone throwing or force will be used and repeated warnings made them to cease stone throwing."

4.17 The full version of S.P. Dravid of what he saw and did at Baba Kadri Mosque that night in the written statement is as follows:—

"After shots were fired by S.D.P.O. Ghorpade myself accompanied by my gunner Laxman Kushaba who had rushed to Baba Kadri mosque locality joined him at Baba Kadri Talim. I then detailed S.I. Khandekar to go to the Shahapure Chawl and look out for the injured persons and proceeded with S.D.P.O. Ghorpade to meet S.I. Gulabsingh. On reaching the junction I issued a loud warning to the miscreants to stop throwing which ultimately produced the desired effect. S.I. Gulabsingh informed me of the injuries sustained by the Policemen as a result of the stone throwing. Making sure that the crowd had begun to disperse I along with the S.D.P.O. Ghorpade returned to Shahapure Chawl to contact S.I. Khandekar. Mohemmad Yusuf Abdullah Shaikh, a technician of Narsingh Girji Mills, was on the terrace when he received bullet injury. He was found with a Jambiya, long stick brick-bats etc. He died on way to Hospital. The electric lines were passing very close to the terrace and it was suspected that he was responsible for tampering electric lines. By this time S.I. Bhosle was approaching the Talim having noticed movements of some miscreant in the lane between the mosque and the Talim. On the way a brick hit him on the face. Thus sudden attack resulted in one bullet escaping from his revolver with injury to none. On hearing this shot, I deputed Laxman Kushaba H.C. gunner to check the situation near Baba Kadri mosque while S.I. Khandekar explained to me that he could not enter Shahapure Chawl as it was closed from inside. No sooner H.C. Laxman Kushaba gunner returned after ascertaining from S.I. Bhosle the circumstances under which he had fired, S.I. Bhosle fired again while chasing 2/3 miscreants into the lane between the mosque and the Talim. In the darkness he was hit by a volley of stones at the entrance of the lane. He had fired three revolver rounds in self defence of which one was misfired and the other two resulted in injuries to two

persons standing on the roof tops behind the mosque. With this firing the slogan shouting and stone throwing in the area stopped. I accompanied by Dy. S.P. Ghorpade and Khandekar then rushed towards Baba Kadri mosque to contact S.I. Bhosle. S.I. Bhosle met me near Baba Kadri Talim and explained the circumstances under which he had fired. At this stage S.I. Ashtekar also joined them directly with half the section of S.R.P. and half of P.S.I. Gulabsingh's party which was no longer required by the latter. The stone throwing attack on S.I. Bhosle strongly indicated that the miscreants had once again collected inside the mosque to resume stone throwing. I, therefore, directed S.D.P.O. Ghorpade to organise an immediate round up of the miscreants inside Baba Kadri mosque. Accordingly S.D.P.O. Ghorpade and S.I. Khandekar together with half of S.I. Gulabsingh's party brought by S.I. Ashtekar entered the mosque through the gate in the dark. While S.I. Ashtekar and the remaining S.R.P. constables got on to the terrace of the mosque from its back side to arrest the miscreants on the terrace of the mosque. This joint action resulted in the arrest of five miscreants inside the mosque and 12 miscreants on its terrace. SRP SI M. V. Mariyal chased and arrested 8 miscreants as they were escaping through the backdoor of the mosque. As the arrested persons were being brought in front of the mosque the street lights came in the locality at about 22.25 hours. At that time gunner Laxman Kushaba was wounded by bursting of a soda water bottle lying on the road in front of the mosque. I then directed S.I. Bhosle to arrange for removal of the injured persons in Shahapure Chawl to the hospital. S.D.P.O. Ghorpade was directed to arrange for the removal of the arrested persons to the Police Station and the injured persons to the hospital for treatment. I then left for Khatik mosque as the situation at Baba Kadri mosque had come under control at about 22.30 hours."

4.13 The S.P. has explained the suspicion, expressed in his written statement on Mohd. Yusuf Abdullah Shaikh about tampering with the electric wires by stating that it was based on the investigation which had revealed that an iron wire was lying across the electric wires which was passing very close to his terrace. He further stated:—

"This wire later on fell down. I am unable to say whether the lights came on just then or later on. There was a circuit fuse on the corner of Baba Kadri Mosque. It was possible that it was removed and again put in. This could have put off the lights."

4.19 These official statements find corroboration in the statement of Dr. Chidgupkar in his written statement. He, however, made certain statements before us which are at variance with the version we have had of the incident from the Police Officers. He stated:—

"It was all quiet at the Baba Kadri mosque till the firing took place at the Punjab Talim. After the firing I saw crowd with Ganapatis coming from the Punjab Talim mosque side

along the road running east west south of my house. Some of the crowd with Ganapatis went east west while some crowd and some Ganapatis took a turn northward along the road running between Baba Kadri mosque and my house. About 10 or 15 people with their Ganapatis had passed the mosque when brickbatting took place from the mosque side on the remaining crowd and the Ganapatis. Before the arrival of this crowd at the entrance of the road northward there were about 5 or 6 police constables there. When some of the processionists had gone, these constables did not stop them but advised them to proceed hurriedly without making any noise.

When the pelting of stones started, the police from the other direction came and did not allow the processionists to go forward and asked them to go back and proceed by the road running east-west. The processionists could not do this as other processionists from that group came to the north side between the mosque and my house.

The processionists, going eastward also stopped and a huge gathering collected at the entrance of the road running northward.

The processionists were attempting to proceed to the Baba Kadri Masjid but the police succeeded in keeping them back.

When the police asked the processionists to go back after the starting of the stone pelting, it did succeed in pushing back the processionists up to the junction of that road with the road running east and west. The stones were thrown from the masjid on the group of processionists on the road running east and west."

4.20 This statement seems to have been made in some confusion as we have evidence from Police Officers and others present at the Punjab Talim that all the Ganapatis were sent by the regular route and it follows, therefore, that no Ganapati would be coming by the lane running east-west south of Dr. Chidgupkar's house and even if some Ganapatis were coming by this street, there was no point of those processionists to take the Ganapatis northwards by the Baba Kadri mosque. Disturbances had started near the Punjab Talim and the processionists would have been interested in taking the shortest route to Haju Mai Chowk, and the street running south of Dr. Chidgupkar's house would have been a shorter route. The fact that only two Hindus got injured on account of stone throwing in this area can be considered as a circumstance, to suggest that hardly any Hindu processionist was on Baba Kadri Road from the junction in front of Mahajan Vakil's house to the junction with the Malikarjun and Kiriteshwar Math Lanes.

4.21 Sarvashri T. R. Gambhire, S. G. Gavsane and S. V. Joshi corroborate the official version of the incident at Kadri Masjid though in very general terms.

4.22 The sequence of events on the 17th September, 1967 as disclosed in the above statements seems to be as follows:—

1. Shouting by some processionists of slogans 'Ganapati Bappa Morya' from Malikarjun Lane side at about 9.30 P.M.
2. Throwing of stones from Muslim houses on police proceeding to stop the processionists and on the processionists.
3. Incident of attack on Appa in Ghazi Lane.
4. Some processionists passing by the street on the north of Mahajan Vakil's house at about 9.45 P.M.
5. Stone throwing etc. from Baba Kadri mosque and Muslim houses towards Hindu houses on the south.
6. Raid by the Police on mosque, stone throwing from inside, firing of 6 rounds from revolver by Police officers (2 by S.I. Ashtekar and 4 by S.I. Bhosle), breaking open the gate of the mosque, lathi charging the rioters inside and arresting 34 persons.
7. Shouts of 'Ganapati Bappa Morya' from Kalika Devi Lane.
8. Cart burnt near Dr. Chidgupkar's house.
9. Four Revolver shots by S.I. Bhosle against stone throwers in houses along the Kalika Devi lane.
10. Failure of street lights at about 10 P.M.
11. Heavy stone throwing from Shahpure Chawl.
12. Firing of 2 revolver shots by S.I. Bhosle in Kalika Devi Lane.
13. Firing of 4 revolver rounds by S.D.P.O. Ghorpade at Shahpure Chawl and hitting a person.
14. Stone throwing in lane between Baba Kadri mosque and Talim.
15. Firing by S.I. Bhosle of 4 rounds from revolver in the lane between Baba Kadri mosque and Talim.
16. Round up of the rioters inside the mosque and on its terrace —5 arrested from inside the mosque and 12 from the terrace.
17. Arrest of rioters running in the lane.
18. Lights came up at about 10.25 P.M.

19. Large quantities of stones, brickbats, soda water bottles, one knife, lathis, iron bars and chilli powder were noticed inside Baba Kadri mosque and on the roofs of several houses.

4.23 It would appear from the above that the Muslims in this area through which the Ganapati immersion procession was not to pass had collected various materials for attacks on the roofs of the houses and also inside the mosque. It is in evidence that several cart loads of brickbats etc. were collected from the road in front of Baba Kadri Mosque and that sufficient materials including mixture of chilli powder were recovered from the various roofs. It is also in evidence that rioters were apprehended from various places in this area. The sealing of this road by the Police with a view not to allow any processionists to pass on that road practically reduced any apprehension of likely trouble from the processionists.

4.24 It would also appear that the violent action of throwing brickbats etc. started even when no processionist had entered the Baba Kadri road. The brickbats etc. were aimed at the Police who were on the road and at the processionists who were beyond the junction of the Malikarjan Lane and the Kiriteswar Math Lane. The entire area from that junction up to the junction of this road with the road running east-west and south of the house of Dr. Chidgupkar and north of the house of Mahajan Vakil was involved in the violent action on the part of the occupants of these houses against the Police and the Hindu houses. The attack was sustained and continued for over an hour. The Police had to fire several times and had to enter the mosque at least twice in order to arrest the rioters who did not heed any warning from the Police. The Police, however, succeeded in stopping the Hindu processionists trying to enter the road in front of the mosque from the north and also such person as tried to enter the road from the south. Some of the processionists took the road running east west to the north of Mahajan Vakil's house, when the trouble took place at the Punjab Talim, and burnt a hand cart near that house.

CHAPTER V

Events at Khatik Mosque

5.1 Reference to the site plan annexure VIII will facilitate the appreciation of the evidence about the incidents in this area.

5.2 The Superintendent of Police was at Khatik Mosque from 8.00 P.M. On learning of the trouble at Punjab Talim at about 9 00 P.M. he and other officers apprehended reaction there as it was a Hindu locality. He posted the police sealing off return of the processionists after immersion along this route and other entrances and the lanes. He left the place on learning of the heavy stone throwing at Baba Kadri mosque at about 9.50 or 10.00 P.M.

5.3 S.D.F.O. Deshpande has stated in his written statement about what he noticed and did at Khatik Mosque where he reached at about 9.30 P.M. under the order of the S.P. The statement is:—

"I, therefore, immediately rushed to Khatik Mosque and reported to the S.P. who briefed me about the situation and directed to supervise the bandobast there. P.I., D.M., Kulkarni and P.S.I. M. A. Khan were already present on the spot along with the men for bandobast. The Ganapati procession was passing by the side of Khatik Mosque for immersion. While I was supervising the bandobast I came to know that heavy stone throwing was going on at Bawa Kadri Mosque area. S.P., Shoiapur left for the spot leaving me in charge of the Khatik Mosque. The processionists were seen in an angry mood and they were not moving forward towards the Ganapati Ghat with proper speed. I with the assistance of the officers and men tried to hasten them forward. In the meantime at about 2030 hours (9.30 P.M.?) P.I. Kulkarni reported to me that some of the processionists had broken open the Modern Watch Co. which has situated at a close distance from Khatik Mosque. Both of us rushed in that direction and it was noticed that about 300 to 400 persons had assembled in front of the shop and they were shouting slogans. About 10 to 15 persons had actually entered the shop and they were damaging furniture etc. P.S.I. Vanjari who was present for the bandobast was trying to drive away the mob. I assisted by P.I. Kulkarni dragged the miscreants out of the shops. At that time stones were pelted on us. I warned the crowd to disperse but it had little effect. I was then compelled to use force to drive away the mob. In the meantime stones were seen pelted by the mob on Khatik Mosque and people seen rushing. Immediately I along with P.I. went there after posting two armed policemen near the Modern Watch Co. and a couple of more P.Cs. near Sonya Maruti Temple for guarding the Temple and Ajoba Ganapati etc.

The unruly mob which had started pelting stones on the mosque broke the barricade and some of them entered the mosque. I warned them to disperse but to no purpose. Then I along with P.I. Kulkarni entered the mosque and drove out the miscreants before they could cause substantial damage to the mosque. Then I tried to disperse the unruly mob which was throwing stones and flaming swabs in the mosque by lathi charge. This provoked some of the rioters who snatched away my lathi and started hitting me with the same till I fell to the ground. The miscreants thereafter trampled on my body with their shoes on. They tried to snatch my revolver as a result of which my uniform shirt and lanyard were torn. I shouted in the name of P.S.I. Vanjari for help but none could come for my rescue. As a last resort I drew my revolver and fired five rounds while I was lying on the ground in order to save my life. On account of severe beating and trampling by the unruly mob I became unconscious and regained consciousness on the following morning in the Civil Hospital."

5.4. He has deposed before us regarding the damage caused to the mosque thus:—

"By the time we could turn out the processionists who had entered the mosque they had caused damage to the wall clock and some of the furniture. A carpet inside the mosque caught fire on account of a burning swab falling on it. We extinguished the fire. After turning out the mob from the mosque we came out. The processionists on the street were still pelting stones at the mosque. The mob outside did not disperse despite the warning given by us that unless they dispersed, force would be used. Inspector Kulkarni and I used force to disperse the mob. The processionists had broken four windows of the mosque on the south and were throwing burning swabs inside. I rushed at them and started a lathi charge."

5.5 He has deposed about the inability to use the Armed Police Constables. The statement is:—

"We could not utilise the services of the Armed Police Constables as the actual rioters were mixed up with the processionists which were much larger in number."

5.6. Police Inspector Kulkarni who was at the Khatik Mosque from 3 P.M. has deposed about the Police arrangements there:—

"The Police force at the Khatik Masjid that afternoon consisted of 2 Head Constables and 18 constables of the S.R.P. S.I. Khan was there in charge. Dy. S.P. Ghorpade and I were also there. In addition to this force there was a Striking Force in reserve at the Khatik Masjid consisting of 2 S.R.P. Sections. It was out of this force that Dy. S.P. Ghorpade took a S.R.P. Section with him on learning of the trouble at the Punjab Talim. In addition to the force for bandobast duty there was 1/3 squad for gas and 1/3 armed squad consisting of 1 armed Head Constable and 3 armed constables. The 2 Sections of the S.R.P. were along the South side and the eastern side.

During the passing of the procession some of the force was posted at the junction of the two lanes running south from the main route of the procession."

5.7 He stated in the written statement that the main procession with the first Ganapati went past the mosque at about 6 P.M. and that thereafter a series of Ganapatis went past the mosque till 9.25 P.M.

5.8 His statement about the information of the trouble at the Punjab Talim reaching the spot and the reaction of the processionists is:—

"We got the information of the trouble at the Punjab Talim Mosque at about 9.30 P.M. Since then the processionists, who had been peaceful and calm, started showing signs of agitation and boisterousness and their movements became halting. We had to goad them to proceed on. The leaders of the procession also joined the Police in this process of expediting the movement."

5.9 He further corroborated the statement of S.D.P.O. Deshpande regarding the looting of Modern Watch shop but fixes the time at about 10.30 P.M. and the attack on the Khatik Mosque. He states that Deshpande fired at about 10.45 P.M. and further states:—

"The whole action took about 15 or 20 minutes.

During this period no confrontation with the Muslims took place. The attack was against the mosque and the Police force which was trying to protect it.

No arrest was made on the spot of any miscreant. The Police was busy in dispersing the mob."

5.10 Sub-Inspector Vanjari, who with 20 lathi constables, was at the rear of the procession, reached Modern Watch Company simultaneously with S.D.P.O. Deshpande and Inspector Kulkarni and supports the version of S.D.P.O. Deshpande and further states:—

"Then I heard the cries of Dy. S.P. Deshpande for help. I rushed from Modern Watch Co. towards him. When I was about 10—15 paces east of the Sonya Maruti, I was attacked by the processionists. I fell down with an injury on my head and kerosene was poured over me. I heard somebody saying that I might be burnt.

I became unconscious. After I had been knocked down I heard sounds of firing. Thereafter I was taken to the hospital."

5.11 Head Constable Andure and Armed Police Constable Pondar-nath deposed about what happened after S.D.P.O. Deshpande and Police Inspector Kulkarni had left Modern Watch Company after directing them not to allow the mob to enter the shop. Head Constable Andure has stated:—

"The mob desisted for about 5—7 minutes. Then it shouted, "These are constables of Rs. 80, snatch their guns and shoot them." They threw stones at us and the people in the mob

got hold of me and some other people got hold of Kashi Nath. They tried to snatch the gun from my hand. I considering danger to my life and to the life of others if the gun was actually snatched, fired it. When I was firing the persons struggled for the gun and the shot went upwards. I do not know whether the shot hit anyone in the houses of Muslims. Kashi Nath also fired his gun.

The mob then left us and proceeded towards Khatik Mosque. We remained at the Modern Watch shop."

5.12 Armed Police Constable Pondernath has stated:—

"Within 10 minutes the mob attacked us. Some people tried to snatch my gun. I then fired. I was trying to aim the gun at the rioters but due to the struggle the shot went upwards I do not know whether the shot hit anyone in the houses of Muslims. The rioters then went away towards the mosque."

5.13 Shri T. G. Kakade, Taluka Executive Magistrate, was posted at Khatik Masjid. According to his statement he was in the Police tent pitched to the east of the dargah at the corner of the Khatik Masjid when the stone throwing at the Masjid started by the processionists to the east. They were throwing brickbats and fireballs inside the mosque. He then states:—

"After some time Inspector Kulkarni came to me and told me that the mob was throwing brickbats and fireballs inside the mosque and asked me to give verbal warning. I then shouted to the people to desist from throwing stones or fireballs, otherwise force would be used. As the warning had no effect the two Police Officers and some lathi constables charged the mob to the south-east of the mosque. In the meantime I heard the noise like that of crackers and 'atom bombs' from both the east and the west sides. The mob dispersed thereafter."

5.14 He did not see Shri Deshpande, the fencing in front of the mosque being broken and the entry of some processionists in the mosque. He did not notice the attack on the Modern Watch Company or on Sub-Inspector Vanjari or on Deshpande. He did not even know of the presence of Shri Deshpande, S.D.P.O., on the spot and learnt about his being injured and sent to the hospital after the whole procession had passed. This is a sad commentary on the alertness and watchfulness of an Executive Magistrate posted at a vulnerable point on law and order duty. It may be due to inexperience as he was appointed Executive Magistrate in August 1967 for first time, having earlier held the post of Chitnis (P.A.?) to a Collector.

5.15 At about 11.15 P.M. the processionists on their way back were attacked by Muslims. Police Inspector Kulkarni describes the incident thus:—

"About half an hour later, about 100 Muslims came out from southern lanes and attacked the groups of processionists who were returning after the immersion ceremony.

They were throwing brickbats. One of them had a knife and tried to assault PSI Khan. He was caught later on along with others.

When the lathi charge did not succeed in dispersing the mob, tear gas shells had to be fired. The mob then ran back to the lanes. Police parties were sent to arrest the miscreants. Sixty-one persons were arrested. These 61 persons included one person who was found with a butcher's knife. All these persons were butchers."

5.16 Shri Kakade, Taluka Executive Magistrate, corroborates his statement.

5.17 Sarvashri Barbade, Bhalake, Bajpai, Tandale and R. Y. Patil have also deposed about the incidents at the Khatik Mosque. Their statements are in conformity with the official statements. Shri Bhalake has also stated that the persons attacking the processionists on return journey shouted slogans like "Nara-e-Takbir, Allah-o-Akbar and Pakistan Zindabad." Shri Bajpai deposes about the attempt of the processionists to snatch the rifles from the Armed Constables at the Modern Watch Company.

5.18 Shri Tandale has deposed that the processionists threw stones at the Khatik Mosque after stone pelting on the processionists started from the house tops. Shri Patil has also deposed that when Ajoba Ganapati reached in front of the Khatik Mosque, stone pelting on the processionists started from the two lanes going southwards, that then the Police asked the Ajoba Ganapati to proceed ahead and dispersed the stone throwers in the lanes. Thereafter the processionists threw stones at the Khatik Mosque. The statements of Shri Tandale and Shri Patil do not find support from the official statements and are not themselves consistent. Further, such statements were not made by them in their written statements. Shri Barbade has stated about the incidents at the Khatik Mosque in his written statement and mostly corroborates the official version.

5.19 It is clear from the above that the looting of the shops near Khatiq Mosque started after the processionists learnt of the trouble at Punjab Talim and got annoyed. The angry processionists lost control of themselves and later on attacked the Khatik Mosque and the police officers too. The attack on the mosque infuriated the Muslims in the area and led them to attack the processionists who happened to return by the same route and also to attack S.I. Khan, a Muslim.

CHAPTER VI

Persons injured during the disturbances on the 17th September, 1967 and Medical treatment

6.1 Annexure F attached to the statement of the Superintendent of Police gives the figures of the persons injured. The figures include the Muslims who were arrested from the Punjab Talim and Bawa Kadri Mosque areas as well. During the Punjab Talim incident, 24 members of the Police force including Shri Pawar, S.D.P.O., received injuries on account of stone throwing by the Muslims. One of these, *viz.*, Bhim Shankar Nivarti Lad died. One of the persons injured was a Muslim.

6.2 Forty private persons, all Hindus, were injured. Thirty-nine of them got injuries due to throwing of stones while one was injured on account of throwing of a soda water bottle.

6.3 Twenty-six persons, all Muslims, arrested as accused from this area got injured while running or jumping or due to fall. Only one of them is shown to have got injured due to stone throwing.

6.4 In the Baba Kadri Masjid area, 34 Police officers including Dy. S.P. Ghorpade, received injuries. Two of them got hurt from soda water bottles and others from stone throwing. These included one Muslim constable as well.

6.5 Two private persons, *viz.*, Hindu non-officials, received injuries due to stone throwing in this area.

6.6 Fifty-nine arrested Muslims had injuries, two due to Police firing and 57 due to lathi charge. Of the two injured from Police firing, one Yusuf Abdulla, Shaikh died.

6.7 In the disturbances near Khatik Masjid, 23 Police officers including Dy. S.P. Deshpande, received injuries due to stone throwing. It may be mentioned that Dy. S.P. Deshpande was also beaten by the rioters.

6.8 Thirteen non-officials got injuries, four on account of Police firing, one due to lathi charge and the rest due to stone throwing. All the persons hit by firing were Hindus. One of them, Babu Mahadeo Kadam, died. Another, Smt. Sushila Bhanudas Likhe, got injured when the bullet went off from the rifle of one of the policemen at the Modern Watch Company. Seven Muslims had injuries due to stone throwing.

6.9 There is evidence that the injured were promptly taken to the hospital for treatment of their injuries. No complaint about medical attention has been made except for the statement of Shri

Tabib that written complaints about the unsatisfactory treatment of eight or ten Muslims injured during the riots were made to the Civil Surgeon. No other complaint has been made against the medical treatment. Considering the nature of injuries on the Muslims, there is, however, no reason to suppose that medical treatment of the injured Muslims had been unsatisfactory.

CHAPTER VII

Investigation of cases registered and their result

7.1 Five cases were registered in connection with the disturbances of the 17th September, 1967. All the cases were registered at Foujdar Chavdi Police Station.

7.2 Criminal Report No. 195/67 was in respect of the incident near Punjab Talim Mosque against 108 Muslims for various offences including one u/s 302, I.P.C. All the accused were challaned on the 12th February, 1968. They were committed to the Court of Sessions on the 28th March, 1968. On revision to the High Court by 78 accused, 74 were discharged for want of evidence. The attempt of the Government to appeal against the order in the High Court or the Supreme Court failed. The other 34 persons proceeded against were tried by the Sessions Judge. On the 31st January, 1969, he convicted 24 of them and acquitted 10. One was convicted u/s 302 I.P.C. and sentenced to imprisonment for life.

7.3 Four accused were convicted u/s 120B I.P.C. and each was sentenced to rigorous imprisonment for a year and Rs. 300 fine.

7.4 Twenty-two accused (including two convicted u/s 120B) were convicted u/s 147 and 323 read with s. 149 and u/s 295 read with s. 149 I.P.C. Four of them were sentenced till the rising of the Court and Rs. 25 fine and the other to 6 months R.I. and Rs. 100 fine.

7.5 The other two of the four accused convicted u/s 120B were also convicted u/s 323/149 and 295/149 and each was sentenced to 6 months R.I. and Rs. 100 fine on each count. The sentences of these two were to run consecutively, i.e., each of them had to undergo total imprisonment for 2 years.

7.6 Appeals were filed by the convicted persons and the Government of Maharashtra filed an appeal against the acquittal. It also filed a revision application for enhancement of the punishment awarded to the convicted persons. They are still pending in the High Court for disposal.

7.7 Criminal Report No. 196/67 is also about the incident near Punjab Talim Mosque in connection with the damage done to Muslim houses and shops and the shouting of slogans. The report was against 16 Hindus. They were challaned on the 19th February, 1968. All were acquitted by the Magistrate on the 7th April, 1969. The question of filing an appeal against acquittal was under scrutiny when information was furnished to the Commission.

7.8 Supplementary charge sheet was submitted against five accused (students of D.A.V. College) u/s 153A I.P.C. on the 8th July, 1968.

7.9 The third report, No. 194/67, is with respect to an incident in the Baba Kadri Mosque area. The report was against 90 Muslims. One person died. Four persons reported against were juveniles and charge sheet against them was submitted to the Juvenile Court at Sholapur on the 12th February, 1968. The same day 85 persons were challaned in the Court of J.M.F.C. Court No. 1, Sholapur. On the 27th April, 1968, 85 persons were committed to the Court of Sessions. One was considered juvenile and was ordered to be sent to a Juvenile Court. The case was decided on the 31st March, 1969 by the Addl. Sessions Judge. Fifty were acquitted. Thirty-four were convicted u/ss. 143, 147, 152, 323, 325 and 332 read with s. 149 I.P.C. and each was sentenced to R.I. for two months and fine of Rs. 200. The Government of Maharashtra filed appeal against the order of acquittal and also filed a revision application for the enhancement of the punishment awarded. They are pending in the High Court for disposal.

7.10 Report No. 192/67 was with respect to the incidents at Khatik Mosque during the progress of the procession towards the immersion ghat. The report was against 24 Hindus. One of them was released u/s 169/Cr. P.C. Another died due to the injuries received in the Police firing and 22 accused were sent up for trial on the 29th December, 1968 (1967). They were committed to the Court of Sessions on the 18th October, 1968. On the 23rd June, 1969, the II Addl. Sessions Judge convicted 14 accused and acquitted eight. Six persons were convicted of offences u/ss. 145, 148, 152, 295, 332, 380, 427 and 436 read with s. 149 I.P.C. Three persons were convicted of the aforesaid offences as well as of the offence u/s 411 I.P.C. Five persons were convicted of the offence u/s 411 only. Each of these 14 accused was sentenced to imprisonment till the rising of the Court and fined Rs. 100. The question of filing revision application for enhancement of the sentence and appeal against acquittal was under scrutiny when information was supplied to the Commission.

7.11 The last report, No. 193/67, was also about an incident at Khatik Mosque, relating to the attack on the returning processionists from the immersion ghat. The report was against 61 persons, all Muslims. Seven, who were juveniles, were released u/s 169/Cr. P.C. on the 30th September, 1967. Fifty-four were challaned on the 5th November, 1967. They were committed to the Court of Sessions on the 3rd May, 1968. The II Addl. Sessions Judge acquitted 49 and convicted five by his order dated the 30th October, 1968. Each of the convicted person was sentenced to imprisonment till the rising of the Court and fined for each of the various offences.

7.12 There does not appear to be any undue delay in the investigation of the cases and their trial.

7.13 The sentences to be awarded to persons convicted of offences committed during communal riots should not be light.

CHAPTER VIII

Rehabilitation

8.1 As a result of the disturbances at the Punjab Talim, Baba Kadri Mosque and Khatik Mosque, three persons died. A few persons got bullet injuries. Damage was done to the properties of 16 persons. Six of them were between Kasba Police Chowki and Khatik Mosque and the remaining ten were situated near the Punjab Talim. The loss relating to these ten properties was very minor. Details of the loss relating to the sixteen properties are given below:—

<i>Name of the Sufferer</i>	<i>Nature of damage/loss</i>	<i>Approximate amount of loss.</i>
		Rs.
1. Shri Mahiboobsaheb Abdulsahab Kureshi of Sholapur.	Modern Watch Co., Property stolen and damaged.	3,350
2. Shri Munir Ahmad Chandsaheb Shaikh of Sholapur.	Empire Watch Co. property stolen and damaged.	3,820
3. Shri Miya Gulamnabi Kasim Shaikh of Sholapur	Indian Watch Co. property stolen and damaged.	2,940
4. Shri Yusuf Ismail Shaikh of Sholapur.	Reliable Watch Co. property stolen and damaged.	1,290
5. Shri Ismail Jahan Mohamad Sayyad of Sholapur.	Universal Watch Co. property stolen and damaged.	2,715
6. Shri Ismail Abdul Sholapur.	of Dental Dispensary property stolen and damaged.	1,100
7. Shri John Mohamad Abdul Rahim Sharif of Sholapur.	A shed at House No. 454 was set on fire.	50
8. Shri Mohamad Ali Yasinsaheb of Sholapur.	Grocery shop at houses Nos. 455 and 456 was broken open and damaged was caused to the articles therein.	25
9. Shri Shba Daujghan Pathan of Sholapur	A plank of the house was broken.	3
10. Shri Mashak Kashimsaheb of Sholapur.	A plank of the house was house was broken.	2

<i>Name of the sufferer</i>	<i>Nature of damage/loss</i>	<i>Approximate amount of loss</i>
		Rs.
11. Shri Mohamed Ali Kashimsaheb of Sholapur.	Planks of houses owned by Shri Mohamadali Yasin Saheb and a cycle belonging to Shri Alli Ladle Naikwadi were broken and set on fire.	25
12. Shri Vazaruddin Vastad of Sholapur.	Doors of the house were broken	10
13. Shri Ibrahim Mahiboob Shaikh of Sholapur.	Doors of the house were broken.	40
14. Shri Abdul Hazi Lal Mohamad of Sholapur.	Doors of the house were broken	10
15. Muslim Jamat, Sholapur .	A plank of the house was broken.	2
16. Shri Saifansaheb Shaikh of Sholapur.	Doors of the house were broken	50

8.2 Of the six persons who suffered substantial loss, Shri Ismail Abdul, whose Dental dispensary was damaged, was not granted any financial relief as he was not an indigent sufferer. The other five persons of that area who owned watch shops were granted Rs. 1,000 each as non-agricultural loan. Two of them did not actually receive the amount as they were unwilling to furnish the necessary security. One of them did not accept the amount on account of its alleged inadequacy and made a request for a non-agricultural loan of Rs. 7,000. The matter was pending with the Government at the time the necessary details were furnished by the Collector's Office. The sanctioned loan was paid to the other two. One of them, however, made a request subsequently for a grant of non-agricultural loan of Rs. 10,000 as the sum of Rs. 1,000 was inadequate. Correspondence in that connection was in progress when the details were submitted.

8.3 The widow of the Police constable, Bhim Shankar Nivarti, was granted Rs. 430 by the Superintendent of Police. She probably also received Rs. 500 which amount is said to have been paid to the families of each of the three deceased persons by Shri Sadiq Ali, General Secretary of the All India Congress Committee. The other two deceased besides constable Bhim Shankar Nivarti were a Muslim who died on account of bullet injury in the Baba Kadri Mosque area and a Hindu boy who died due to a bullet injury from the revolver fired by Dy. S.P. Deshpande in self defence at Khatik Mosque. The families of these two do not appear to have received anything from the Government.

8.4 One Smt. Sushila, daughter of Bhanudas Likhe of Sholapur, a maid servant, received a bullet injury when she was watching the procession from the house of Dr. Antrolkar, opposite to Modern Watch Company. The bullet hit her when bullets went off from the two rifles of the armed constables who were protecting the Modern Watch Company against the rioters and the rioters tried to snatch the rifles from them. She was paid Rs. 200 as gratuitous relief.

8.5 In addition to the above relief, a sum of Rs. 1,650 was distributed by the Relief Committee set up by the Sholapur City District Congress Committee.

CHAPTER IX

Adequacy of arrangements

9.1 There is ample evidence on record to establish that the public authorities were very much alive to the possibilities of trouble during the Ganapati festival from the 7th to the 17th September, 1967 and that specific directions were issued to the officers concerned with the maintenance of law and order for being vigilant in getting information about the hatching or the breaking out of any such troubles. Elaborate arrangements were made to see that no untoward incident happened.

9.2 Apart from the usual considerations of the possibility of disturbances during the festival, the communal disturbances at other places in August 1967 made the authorities much more careful about the measures to be taken for the maintenance of law and order during the festival.

9.3 On the 18th August, 1967 the Inspector General of Police issued instructions about the measures to be taken to make the Ganapati festival a success and enclosed with these instructions a copy of the minute of the meeting held on August 12, 1967. On the 28th August, 1967, the I.G. sent a wireless message to the Superintendent of Police stating that in view of the recent incidents in Kashmir and Ranchi "Please alert your subordinate and take adequate precautions in areas having communal background." The Superintendent of Police forwarded copies to all the officers under him indicating that:—

"The situation requires to be under constant watch and all developments in this respect should be communicated to the S.P. by quickest possible means."

9.4 On the same day, i.e., the 28th August, 1967, the Secretary to the Government of Maharashtra, Home Department (Special), sent a wireless message drawing attention to the incidents which took place in Ranchi on account of the agitation for Urdu being made a second official language in Bihar and in Srinagar on account of an inter-communal marriage and to the possibility of anti-social elements trying to exploit the incidents for creating tension between different communities in other places. The message required the officers to be vigilant and to take adequate precautionary measures and, if necessary, to keep communal and anti-social elements under check.

9.5 The Superintendent of Police forwarded copies of the message to the various officers in the district on the 29th August. On the same day, i.e., the 29th August, the Superintendent of Police issued an order regarding the precautionary measures to be taken in connection with the Ganapati festival, giving necessary directions to

its officers for being "in constant touch with the promoters of the Ganapati Mandals and such allied organisations and the political parties to use their good offices for maintaining communal harmony." They were also required to take recourse to various legal precautions against bad characters. It further stated:—

"The officers should not be caught unaware by any unexpected developments and, therefore, mobile L.I.B. Centres are being opened in the district."

9.6 On the 30th August, the S.P. issued an order introducing 'Secret Talk Scheme' in Sholapur city. Under this scheme some intelligent men were to be selected from the men posted in the police stations and they were to be allotted a portion of the area falling under the jurisdiction of each police station in order to collect advance information regarding Ganapati utsava of that area. Such persons were also required to collect information secretly regarding communal disturbances and maintenance of peace. The instructions, *inter alia*, stated that they would collect information about anything which might harm the Ganapati idol or the programme or cause any kind of trouble there and that they would find out any place where such conspiracy was being hatched or where people were collecting to create trouble. They were directed to keep a 'close' watch on such things and intimate the information to the Police Station and Control Room without any loss of time. In short, the objective of the scheme was explained to be that the Police might get information in advance and keep themselves ready. They were directed to keep a close and vigilant watch on communal and anti-social elements. One Police Constable was specially deputed at each of the L.I.B. Centres which were situated at the specified Police Chowkies.

9.7 It may be noted now that despite all these instructions for vigilance and for collecting information with respect to any preparation for committing breach of the peace during the festival, no information is said to have reached the authorities about the steps taken by the Muslims in collecting brick-bats, soda water bottles and other articles of offence not only in their houses on the route of the procession but also in the area near the Baba Kadri Mosque which did not lie on that route. There must be something inherently wrong in the system of collecting information or in observing the activities of the people in the areas where communal trouble had taken place in the past.

9.8 The S.P. has also deposed:—

"Despite the L.I.B. staff and special arrangements of L.I.B. centres during the Ganapati festival and strict directions to the L.I.B. and other staff to collect intelligence no information reached the authorities about the apprehension of trouble taking place on the immersion day. This may be due to our staff's inability to get contacts with the Muslims and to interpret their conversation. Further, such things are talked about in their *halkas* in secret meetings where these people have no access."

9.9 The D.M. has deposed:—

“There was no intelligence of apprehension of any trouble due to the Ganapati festival.”

9.10 The D. M. has further deposed:—

“The L.I.B. staff is to be trained to be able to gather information of secret meetings, including *Halka* meetings, which take place after the ‘Vaaz’ meetings, of organisations or people in respect to communal matters. At present information of such meetings is absolutely negligible.”

9.11 One of the apparent weaknesses of the Intelligence Branch in getting full information, especially about the activities of the Muslim organisations and the Muslims, seems to be the lack of knowledge of Urdu, a language in which papers are usually in circulation among the Muslim community. The Superintendent of Police has deposed:—

“We mostly learn for the first time from Marathi or English newspapers what appears in the Urdu papers and when anything of importance is found to be there we refer the matter to the Special Branch of the State where the original papers are obtained and translations made of the writings to be considered. There are very few people knowing Urdu in the L.I.B. staff. I do not know of any non-Urdu or non-Muslim paper which writes in a way to excite the feelings against Muslims.”

9.12 It may also be noted that the L.I.B. men as well as the other Police forces stationed at Punjab Talim and Baba Kadri mosque from the 7th to the 17th September failed in noticing the collection of bricks, stones etc. in the Baba Kadri mosque and the houses near about the two mosques.

9.13 Police Inspector Kulkarni has stated:

“The intelligence staff would be expected to secure information about the collection of missiles, etc. in the Masjid or in a house.”

9.14 Sub-Inspector Verma *alias* Tasgaonkar who was in the Special Branch from a few years earlier, deposed:—

“None of the L.I.B. staff reported any apprehension of trouble during the Ganapati festival. The only explanation I can give for the total absence of information in this area is that the preparations were being made secretly. The missiles thrown from the Baba Kadri Mosque and those found inside it could have been collected through the mosque door on the north and the door leading to other houses on the west. It was the duty of the armed guard police force posted at the mosque to keep an eye on the entrance to it. The Police force could have entered the mosque to ensure that nothing untoward took place there. Supervisory officers collected the reports from the fixed points.”

9.15 Dy. S. P. Pawar stated:—

“I was at Punjab Talim Mosque from 12 noon on 17.9.1967. None of the L.I.B. men gave any report of any suspicious activities on the part of the people of the area.”

9.16 Police Inspector D. M. Kulkarni has deposed:—

“The Police force at the Baba Kadri Masjid could not have known of the collection of the brick-bats etc. through the two entrances other than the main entrance where the police force was posted. Of the other two sides one on the North opens on a lane and the other on the South is through House No. 761. I do not know whether this house forms part of the mosque or not. On the procession days constables are posted on the roofs of the mosques on the routes of the procession. I had Baba Kadri Mosque checked on account of its importance and due to this Police force had been stationed. There could have been, and possibly should have been, inspection of the mosque shortly before taking out of the procession.

I did not check up Khatik Masjid when I reached after 2.30 P.M. on 17.9.1967 after seeing through another Ganapati procession of 10 or 12 Ganapaties.”

9.17 He himself looked up the Punjab Talim, Khatik Mosque and Baba Kadri Mosque on the 16th September, 1967, the day preceding the immersion day.

9.18 The S.P. has stated:—

“The Police posted at the Kadri Mosque during the Ganapati Festival could not keep a watch as there are two entrances to the mosque for collecting material and further, there had been no information about something going on there. I myself checked the mosque at 10 a.m. on 17.9.1967 and by that there had been no collection of such material.”

9.19 A detailed bandobast order was issued by the Superintendent of Police on the 3rd September, 1967 drawing attention to the fact that public installation of Ganapatis without any passes would amount to breach of the Jahirnama and the concerned persons would be prosecuted. It was emphasised that the Police Officers must take fullest advantage of the scheme of L.I.B. Centres and post themselves with up-to-date information, plan and preparation of any section of the community. It also indicated that the members of the Peace Committee agreed to be at the strategic points which have had a communal history in the past, viz., Punjab Talim, Khatik Masjid, Bagwan Galli etc. The officers were enjoined to take assistance from these members for maintaining law and order. They were also enjoined to have complete liaison with the members of the Madhyavarti Ganesh Utsav Mandal, Sholapur.

9.20 About Home Guards, the order spoke of the assignment of 100 Home Guards to the three Police Stations and stated that these Home Guards would be utilised for routine duties only and not for handobast.

9.21 Lastly, the order emphasised that the situation in Sholapur though outwardly calm was most delicate from the communal viewpoint and directed the officers to communicate to S.P. and S.D.P.O. all matters, however, trivial, after taking action on the spot as the experience in the past had shown that the promptness and immediate apprehension of the offenders had been most effective in easing the communal tension.

9.22 The order provided for the deputation of a force consisting of one Head Constable and nine Constables with the S.R.P. under a Sub-Inspector at the Punjab Talim, Khatik Masjid and Baba Kadri Masjid from the 7th September, 1967 till the immersion procession was over. Sub-Inspector Patil was in charge of the force at Punjab Talim, Sub-Inspector M. A. Khan was in charge of the force at Khatik Masjid and Sub-Inspector Gulab Singh was in charge of the force at Baba Kadri Masjid.

9.23 The arrangements were further strengthened on the 17th September, 1967. Two Policemen were posted on each of the roofs of two houses in each of the areas of Khatik Masjid, Punjab Talim and Baba Kadri Masjid.

9.24 The Ganapati immersion procession was to be headed by Sub-Inspector Ashetkhar with a force of 20 men and was to be followed by Sub-Inspector Vanjari with a force of 20 men. One Police Inspector, S.R.P., was to be on the left flank and another on the right flank of the procession. These officers were directed to remain moving from front to the tail of the procession of their respective sides.

9.25 Ten S.R.P. men were further posted at Punjab Talim and ten S.R.P. men were also posted at Khatik Masjid under Police Inspector Kulkarni. Two sections of the S.R.P. i.e., 20 men with officers were ordered to stand at Khatik Masjid from 9 a.m. on the 17th September to meet any emergency. These men were to be under the S.D.P.O. City.

9.26 In another order issued by the Superintendent of Police on the 3rd September, 1967, with reference to L.I.B. teams, the nature of various incidents which could cause communal flare up and create law and order problems were mentioned and one of the incidents mentioned was the shouting of slogans denouncing a particular community.

9.27 In all, the total Police force deployed on the 17th September, 1967 consisted of the D.I.G., the S.P., three Dy. S.Ps., eight Police Inspectors and 33 P.S.Is. and 759 men.

9.28 We do not think that any better arrangements could have been made for the occasion. Yet trouble broke out. It was thereafter that due to the arrangements and the alertness of the Police Officers the troubles at the various places could be controlled within a reasonable time of their breaking out.

9.29: The inadequacy of the intelligence system has already been commented upon. It should not be difficult to devise means to strengthen the system which would enable the L.I.B. men to collect information about all groups of people.

9.30 The Police force at Baba Kadri Mosque was remiss in its duty in not observing that the mosque had other entrances and keeping an eye on them to see that nothing objectionable was taken in and stored there.

9.31 The looting of the shops between Kasba Police Chowki and Khatik Mosque that night and the inactivity of the police in acting against the looters in the various incidents except the looting of the Modern Watch Shop have been criticised by some witnesses. Shri P. G. Kusurkar, Convener, Secular Forum (P.S.P.) was summoned but did not appear before the Commission. He said in his written statement:—

“It is worthwhile noting that one of the looted shops was in front of Police Chowkey and while it was being broken the Police force and some of the Police Officers were just near the shop. One big Police vehicle with a number of Police from R.P.I. were not more than 20 feet away from the shop, but no one cared to interfere. To a layman, this was most surprising and distressing.

After a little while a Sub-Inspector came with a few constables and he used batons and sticks and dispersed the mob. There were four or five other shops belonging to the Muslims which had been already looted and broken up. The whole incident is quite un-understandable and distressing. Why should not the Police have taken care to intervene as soon as the people began to break open and loot the shops?”

9.32 The premise on which the criticism is based is not fully correct. Sub-Inspector Vanjari who was at the rear of the procession states regarding looting of the shops in front of the Kasba Police Chowki:—

“When the Ajoba Ganapati reached the junction of the lane running east-west and north and south near Kasba Police Chowki, I heard that shops were being looted. I left 10 constables at the back of the Ganapati and with 10 constables rushed further. Seeing, me, some persons who were looting the two shops in front of the police chowki came out and fled. I pursued them up to Modern Watch Co. During this pursuit, I did not see any other shops being broken or looted. The procession kept moving ahead.”

9.33 He further states:—

“I did not notice any constable from the Kasba Police Chowki or from those who were accompanying the various Ganapatis at the two shops under the Kasba Police Chowki.”

9.34 The Police Chowki had only one Head Constable and a few Home Guards who were requisitioned for routine duty only but were not to be used for bandobast purposes under the orders of the Superintendent of Police. The Kasaba Police Chowki is about a furlong from the temple of the Sonya Maruti where the Police vehicle with armed force and with tear-gas squad stood and also from the place where the other force on fixed point duty was posted near the Khatik Mosque. The entire route between the Khatik Mosque and the Kasba Police Chowki can be presumed to be full of processionists.

9.35 Inspector Kulkarni who was on duty at the Khatik Mosque has thus explained the inability of the Police in checking the looting and acting against the looters:—

“The shops between the Kasba Chowki and Khatik mosque could be attacked and looted by the processionists despite the presence of the constables with the Ganapatis as all the processions were in a compact form and were moving together. We the officers of the Police force at Khatik mosque noticing the attack on Modern Watch Company rushed to that place. We did not know of the looting of other shops eastwards of the Modern Watch Company and even if we had information we could not have left the Khatik masjid fixed point as that could have led to much worse events at the mosque.”

9.36 Besides, it appears to be rather difficult for the force at Khatik Mosque to force its way through the processionists up to the various shops which some of the processionists were looting. The set of two constables which was escorting a particular Ganapati could not have done much even if it had thought of forsaking the escort duty in order to apprehend the looters.

9.37 Shri T. G. Kakade, Taluka Executive Magistrate, posted at the Khatik Mosque that night deposed that from the Police Station east of the dargah at the corner of the Khatik Masjid where he was, he could neither have a view of the watch shops other than the Modern Watch Shop nor could he have a view of the procession in view of there being a bend in the road between the dargah and the Kasba Police Chowki.

9.38 Shri Deshpande S.D.P.O., who was at the Khatik mosque states:—

“The police force stationed at Khatik mosque was used in controlling the mob at the junction of the lanes near about the Khatik Mosque and in front of the mosque. Some of the force was used in pushing ahead the processionists further. The situation was such that no police men could be collected. It was thus that Inspector Kulkarni and I had to rush to the Modern Watch Company and the mosque and tackle the crowd.”

9.39 These statements explain why no action could be taken by the police against the looters of the shops other than Modern Watch Shop near Khatik Mosque.

CHAPTER X

Causes

10.1 Of the four incidents which took place at Sholapur on the 17th September, 1967, the two near Khatik Mosque were sequel to the incidents which had taken place earlier at the Punjab Talim and Baba Kadri Mosque that night. The news of these incidents irritated the processionists at Khatik Mosque and they looted about half a dozen shops of Muslims in that area. When the Police Officers posted at Khatik Mosque, went to protect the Modern Watch Company against the rioters and looters some of the processionists attacked the mosque itself. It was as a result of these incidents that when some of the processionists were returning from the immersion ghat later that night, a number of Muslims attacked them.

10.2 Why the first two incidents at the Punjab Talim and Baba Kadri Mosque took place is to be gathered from the past history of the relations of the two communities in the town which had a population of 2,57,495 Hindus and 59,564 Muslims in 1961. Since 1925 till the 17th September, 1967 there had been a number of incidents which were communal in nature in the sense that they were not actuated by any personal or private motive. The following table gives the figures of the incidents and the occasions on which those incidents took place:—

Incidents	Number of cases		Total
	Muslims were accused	Hindus were accused	
Rath Processions	21	1	22
Ganapati festival	13	16	29
Gadda fair	16	..	16
Shivajayanti festival	1	..	1
Desecration of idols	2	..	
Hindu funeral procession	2	..	
Hindu marriage procession and feast	3	..	
Assault on Hindus	1	..	
Assault on Muslims . . . . .	..	1	
Trespass on land belonging to Hindus	1	..	1
Stabbing cases due to other causes	34	32	66
	94	61	155

10.3 This is really a summary of the statement (Annexure—IX) showing details of communal incidents recorded within Sholapur city limits during the years 1925 to 1967, attached to the affidavit of the Superintendent of Police as Annexure 'A'.

10.4 A thing noticeable in regard to the occasions on which these disturbances took place is that they took place during Hindu festivals only. It has been deposed so by certain witnesses as well as admitted by one of the Muslim witnesses. He (Shri M. K. Tabib, President, Muslim League, Sholapur) has stated:—

“The allegation that disturbances occur only during Hindu festival and not during Muslim festival is correct only in so far that they occur only when Hindus abuse Muslims or shout slogans to create noise before mosque during their processions. On other occasions of Hindu festival, no disturbances take place.”

10.5 The Annexure IX shows that two funeral processions and one marriage procession were attacked by Muslims when the processions were passing by a mosque with music.

10.6 It appears that incidents on the occasion of 'Rath' procession took place in 1925 and 1927, that incidents in connection with the Ganapati festival took place in 1927 and 1966 and that incidents on the occasion of 'Gadda' fair took place in 1941. Thus, it was on five occasions that 77 incidents took place, 50 by Muslims and 27 by Hindus.

10.7 18 cases of stabbings—6 by Hindus and 12 by Muslims—took place in 1939 on account of the procession of Arya Samaj Satyagraha shouting slogans objected to by the Muslims.

10.8 In June 1947, 6 cases of stabbing—4 by Hindus and 2 by Muslims—took place which, according to the District Magistrate, started on account of the employees of a Cinema House taking different sides at the dismissal of an employee of the Cinema House.

10.9 42 stabbing cases also took place early in August 1947. Of the 20 Hindus stabbed, 13 died and out of the 22 Muslims stabbed, 10 died. The statement at Annexure IX does not give the motive behind these stabbing cases. Possibly they were due to the rising communal tempo prior to the partition of the country.

10.10 Shri Abdul Sattar Mohmedhusein Jamadar stated in the written statement that these disturbances were due to the partitioning of India.

10.11 In each of the years 1952 and 1955, one case of an attack on a Hindu funeral procession took place. Thereafter no incident took place till 24th April 1966, i.e., for a period of about 11 years.

10.12 Two of the incidents indicate the revengeful spirit of the people. On the 3rd July, 1966, a Hindu cyclist dashed against a Muslim. This led 9 Muslims to attack that Hindu and 5 others. As a

reprisal, on the 1st August, 1966, the Hindu cyclist and 9 others assaulted some Muslims in Punjab Talim area. Both the cases, however, ended in acquittal.

10.13 On the 20th September, 1966, 5 cases took place during the Ganapati festival. Sub-Inspector Kulkarni describes them thus in his written statement dated the 8th April, 1968:—

“On 20-9-1966 the Ganapati idol installed at Kiriteshwar Math was damaged by some boys. The offence was registered at this police station *vide* C.R. No. 158/66 u/s 448-426-295 I.P.C. The offence remained undetected.

On the same night Hindus took out a procession from Tilak Chowk with a new Ganapati idol for re-installation in the Kiriteshwar Math when the procession was passing Zakaria hotel in Navi Peth, which is run by a Muslim. Some of the persons entered the Zakaria hotel and damaged the property in the shop. The miscreants were driven out by the Police and the procession proceeded. At that time I was at Kiriteshwar Math investigating the offence at S. No. 3 above. Since I found that the procession took more time to reach the Math and hence I went along the route of the procession to find out its location. It was in Choupad. I accompanied the procession. When it was passing through Punjab Talim lanes, stones were pelted on the procession, but the procession was hastened forward and it reached the destination without any major damage. After it had reached the Kiriteshwar Math the procession terminated and the people in the procession started going away. Some of them went towards Baba Kadri mosque. I went towards the Baba Kadri lane with some S.R.P. men and blocked the lane so that no Hindu should go towards that side lest a clash may ensue. Meanwhile, heavy stone throwing started from the Baba Kadri mosque and the house tops of round about Muslim residents. While I was doing bandobast there, a big stone pelted from the house top of a Muslim hit me on my head causing a severe injury. I started bleeding profusely and hence I was immediately removed to Civil Hospital for treatment. One Police driver was also hurt. Thereafter, Hindus set fire to the house of a Muslim but it was soon extinguished by the Police. The mob then went towards Panjrapol and tried to set fire to the Kali mosque. With the timely arrival of the police the mob ran away. An offence at this police station C.R. No. 160/66, u/s 147-149-332, 337 IPC was registered. One Shankar Lonari and 9 others were arrested and chargesheeted. The case is subjudice.

A group of the mob broke open the pan shop of a Muslim in Panjrapol, the same night and removed property from there. In this connection an offence was registered at C.R. No. 162/66 u/s 457-380-426 IPC. The offence remained undetected. Another group broke open the cycle shop of a Muslim near Panjrapol and damaged the property there. An offence at this police station C.R. No. 163/66 u/s 457-457 IPC was registered and investigated. This offence also remained undetected.

The situation was immediately brought under control.”

10.14 Four incidents took place in 1967—all by Muslims. Two related to attacks on Hindu marriage parties.

10.15 Recurrence of communal incidents, though at an interval of a few years, tends to sustain a sense of ill-feeling between the members of the two communities. In a surcharged atmosphere, even mild provocations can lead to violent incidents.

10.16 The reason for this spurt of violent happenings since the 3rd July, 1966 may be found in other earlier incidents in 1966 which vitiated the communal atmosphere.

10.17 The other statement (Annexure X) giving details of incidents that caused communal tension at Sholapur city during 1963 to 1967—attached as Annexure ‘B’ to the affidavit of the Superintendent of Police—shows that such incidents in 1966 were as many as 9 and that there were 4 such incidents in 1967.

10.18 The anti-cow slaughter movement in the country accounted for two incidents in December, 1966.

10.19 One incident of 1966 is significant and has been referred to by witnesses as one of the main incidents actuating the Muslims to harbour a grudge against the Police officials and especially the Police officials stationed at the Jail Road Police Station. The District Magistrate allowed a certain number of torches to be taken out with the Moharrum procession in 1966. On the 2nd May, 1966, the Police on checking the number of torches found a larger number of torches and, therefore, seized the number in excess. This infuriated the Muslims who did not take out the procession and instead organised on the next day a ‘morcha’ of about 2,000 Muslims before the Collector’s Office demanding an enquiry into the action taken by the Police. It was alleged that one Police official had manhandled the Mutwali of Darvesh Talim Masjid who caused physical obstruction to the Police during the seizure of the torches. It is said that it was on an undertaking by the Superintendent of Police that he would look into the matter that the Muslims agreed to take out the procession. It could have been suspected by the Muslims that the Police action was probably on some complaints by local Hindus.

10.20 The effect of this incident has been stated thus in the written statement of the District Magistrate:—

“The whole episode, however, lingered in the minds of the Muslims causing them to nurse a strong grievance against the Hindus as well as the Police for the search that the latter had made at the instance of the former resulting in suspension of the Karbala procession on the last day of Mohurrum festival, by way of protest against the action of the Police, for the first time in the history of Sholapur.”

10.21 The District Magistrate has also deposed before us:—

“I cannot give any particular reason for the increase of incidents for communal tension in 1966 but I have a feeling that:

the incident which took place during the Muharram procession on 1-5-1966 created some bitterness in the minds of Muslims against Hindus for their complaint to the authorities about Muslims taking much larger number of torches than sanctioned by the District Magistrate for the procession."

10.22 The D.I.G. of Police has stated before us:—

"There has been bitterness of feelings between the communities from the incident at the 1966 Moharram. A number of incidents took place between the members of the two communities thereafter. Incidents in 1966 were committed by both Hindus and Muslims but the incidents which took place in 1967 were all committed by the Muslims."

10.23 He further stated:—

"The Muslims of Sholapur had a feeling of animosity against the police since 1966 Moharram when there was a dispute between the Mutwali and Head Constable Swami in connection with the seizure of the extra torches. The procession of Muslims which marched to the Collector's Office in protest against the seizure of the extra torches in the Moharram procession shouted anti-police slogans."

10.24 The S.P. has stated before us:—

"The incident of 1966 Moharram gave rise for resentment against the Hindus who had complained about the excess number of torches to be taken out in the Moharram procession and also there was resentment against the Police due to the allegation that a Head Constable had slapped the Mutwali of Darwaz Talim. On enquiry by my predecessor the allegation of slapping was found to be unsubstantiated. Torch light processions are banned by the State Government. They can be taken out only with the permission of the D.M. and in accordance with the conditions laid down."

10.25 Shri M. S. Varma *alias* Tasgoankar has stated before us:—

"The incident could have led to a complaint against the police for the alleged excess but assumed a communal colour on account of the slogans shouted during the 'Morcha' led by the Muslims to the D.M. and the S.P. The slogans included "Muslims of the world are one" and the other slogan was that "If you are a Muslim, join this 'Morcha' (procession in protest)."

10.26 The revival of ill feelings between the two communities after the Torch incident of 2nd May 1966 appear to be responsible for the incidents thereafter.

10.27 It may be noted that during the Ganapati immersion procession of 1967 the Jail Road Police Station and the D.A.V. College also had Ganapati processions for the first time. The main attack at Punjab Talim was on the Police Ganapati, though pelting of stones

had started a few minutes earlier on the D.A.V. College Ganapati procession, which was slightly ahead of the Jail Road Ganapati procession and whose boys shouted abusive slogans against the Muslims.

10.28 A. Sattar in his written statement states about the causes for the disturbances on 17th September, 1967:—

“The procession which previously contained particular Ganapatis were augmented at this time by the addition of Jail Road Police Station Ganapati and Dayanand College students Ganapati.

These Ganapaties really provoked the feelings of Mohomedans inhabiting in the locality where the disturbance occurred namely Punjab Talim Mohalla.”

10.29 Another incident worth noticing, and which is said to have annoyed the Muslim community a lot, had been the seizure of large quantities of unlicensed stocks of explosive on the 11th September, 1967 and the 15th September, 1967 from the shops and godown of Haji Mohd. Hussain Fakruddin Maniyar who is said to be a widely respected citizen and a top ranking businessman of Sholapur dealing in various items including explosives. The case was registered at the Jail Road Police Station *vide* Item 14, Annexure ‘B’ attached to the affidavit of the Superintendent of Police. (Annex. X)

10.30 This followed an incident of explosion on the 31st May, 1967 which had aroused the suspicion of the Hindus against the Muslims. In this connection, Inspector Kulkarni states in his written statement: —

“There was no tension as such between the two communities before 17-9-67. On 31-5-67 a Muslim girl was playing with a steel rod to which a green wire was tied, in front of her house near Punjab Talim. While she was playing with the rod like a whip, there was an explosion and the girl sustained fatal injuries while some other children received minor injuries. This incident had aroused the suspicion of the Hindus against the Muslims. The investigation disclosed that it was an electric detonator and the explosion was due to frictional heat.

Thereafter, on 11-9-67 Sholapur Police raided the shop of Shri M. F. Maniyar, a well known merchant, and seized huge stocks of unlicensed detonators, gelatines (gelignite), potassium cyanide etc. This confirmed the suspicion of the Hindus against the Muslims. The incident embittered the feelings of the Muslim community against the Hindus.”

10.31 He has deposed that due to the explosion 6 or 7 children, both Hindu and Muslim, were injured. D.M.’s report shows that besides the girl who died, 2 Hindu and 4 Muslim children were injured in the incident.

10.32 S.D.P.O. Ghorpade stated in his written statement:—

“The consensus of the suspicions of the Hindu witnesses staying in the locality was that the object was kept in the house by some relatives of the deceased girl and the girl not knowing what it was, brought it out and started cracking it like a toy-whip. Subsequent investigation showed that the explosive was an electric detonator which was ignited by frictional heat on account of its hitting with the iron rod.

On 11-9-67 the Sholapur Police raided the shop of Haji M. F. Maniyar, a well known stationery, cutlery, drugs, poisons, arms and ammunitions and explosives dealer of Sholapur and discovered huge stocks of unlicensed detonators, gelatines (gelignite), potassium chloride, potassium cyanide (a deadly poison which was used by the Devarishis gang of Sholapur for committing series of murders and which was surreptitiously sold by this merchant) and his shops, authorised and unauthorised godowns were all sealed. This confirmed the suspicion of the Hindus and if I may say so, even of some Muslims, about the source of the supply of the explosive which ended in the death of the unfortunate girl in May 1967 near Punjab Talim. This incident left the Muslim community in Sholapur in a crest-fallen mood.”

10.33 Sub-Inspector Tasgaonkar deposed before us on the 15th July, 1969:—

“The case against Maniyar is still *sub-judice*. I was a member of the raiding party on his house. He found an unauthorised godown with large quantity of explosives which were recovered. These included 4,000 detonators, gelatine (gelignite) and potassium cyanide.”

10.34 The D.M. has stated in his written statement that the effect of the seizure of the explosives was that Haji M. F. Maniyar, a local businessman of repute, was badly exposed, and that this caused considerable bitterness amongst the Muslims at Sholapur.

10.35 The D.I.G. stated in his written statement that the seizure of explosives “presumably worked up Muslim community.”

10.36 Another incident may also be referred to to indicate how lingering ill-feelings lead to incidents which cause communal tension and at times lead to communal violence. In May 1967 Shri Abdul Sattar Mohd. Husain Jamadar reported to the Police about the digging up of a graveyard in connection with the celebration of Shivjayanti. The information was found to be false and he was subsequently convicted on the 6th June, 1968 u/s 182 I.P.C.

10.37 S.D.P.O. Ghorpade stated in his written statement:—

“On 4th May 1967 Shri Abdul Sattar Jamadar gave information on phone to the Inspector of Police, Foujdar Chavdi police station (which he later confirmed in writing) that the organisers of the Shiva Jayanti Utsava, Mandal who were to

celebrate Chhatrapati Shivaji birthday on 11-5-1967 were demolishing the Muslim tombs in a Muslim burial ground called Anarkali Takia. On verification this information was found to be absolutely false and frivolous and given with a view to stall the celebrations pertaining to the birthday of Chhatrapati Shivaji. Shri Sattar is now being prosecuted under Section 182 I.P.C. and the case is *sub-judice*. In addition to giving the above false information Shri Sattar, through one of his relatives filed a plaint, equally false and frivolous against the organisers of another body called Shiv Smarak Mandal who were also to celebrate the birthday of Chhatrapati Shivaji and had invited a historian and literature called Shri Bal Shastri Haridas of Nagpur to give a series of lectures on the life of Chhatrapati Shivaji and some others who had nothing to do with the organisations or celebrations praying for an *ad interim* and permanent injunction against the persons mentioned above from performing any celebrations or giving any lectures on the ground that the land on which these functions were to be held was a part and parcel of the said Anarkali Takia. The Court issued an interim injunction and this caused a disappointment amongst Hindus because the plaint was absolutely frivolous and the injunction was served just about the time, when the celebrations were to start. The Muslims started having secret deliberations with the guidance of Shri Sattar Jamadar in the Punjab Talim locality which is close-by. The police took preventive action against Shri Abdul Sattar and his henchmen and the District Court after hearing the parties vacated the interim injunction and dismissed the suit. The celebrations of Shivaji birthday were then performed without any hitch."

10.38 The following table quoted from Annexure 'C' of S.P.'s affidavit shows that there has been a significant increase in the number of 'Waz' meetings of the Tabliq Jamaat at Sholapur since 1964 and specially since May 1966 when the torches were seized during the Moharram festival.

Information regarding meetings of Tabliq Jamaat in Sholapur city for the year 1964 to 1967 (4-12-1967)

Year	Jan.	Feb.	March	April	May	June	July
1964	6	5	4	11	18	15	9
1965	5	8	12	15	5	11	13
1966	..	7	..	5	19	24	18
1967	10	17	31	19	24	25	11

Information regarding meetings of Tabliq Jamaat in Sholapur city for the year 1964 to 1967 (4-12-67)—continued.

Year	August	Sept.	Oct.	Nov.	Dec.	Total
1964	9	15	14	16	12	134
1965	9	13	14	15	16	136
1966	15	16	32	8	8	150
1967	..	4	22	24	4	191 (upto (4-12-1967))

10.39 Jamadar Naikwadi of the Special Branch has deposed:—

“In the Waz the speakers used to refer to the hardships borne by Hazrat Mohammed and asked the Muslims to follow his example in forbearance in spite of the harsh or tyrannical treatment meted out to them.

I attended the meeting of the Majlis Mushawarat at Vijapur Waz on 12th September 1967. While passing certain resolutions the Muslims were advised to bring their complaints to the Mushawarat to be dealt with and get redress and that they should not take any action on their own. I cannot say without looking up my report whether anything against the Government was said at the meeting. The effect of these resolutions was that the minds of the Muslims were polluted against the Hindus.

I do not know who presided over the meeting. I cannot say whether anything against the Hindus was said at the meeting.

At no meeting of any of the Muslim organisations was it said that the Muslims were not citizens of India.

What I have said in answer to question No. 4 that the various branches of Muslim organisations in Sholapur propagate communal views secretly and that Muslims are not citizens of India and that India is not their country is in view of the fact that 4 or 5 Muslims at the Halka talk together and do not allow me to be present and even otherwise on my arrival they would just start speaking on some religious matter. From these facts I presume that they must be secretly propagating what I have said in my answer.

I am of the opinion that the Jamaat Islami insists on the Muslims following what is written in the Quran and not to follow any other thing. The Muslim League insists that the Muslims should follow what is contained in the Hadis and the Majlis-e-Mushawarat is concerned with calling upon the Muslims to bring their complaints and problems to it and that it would deal with them. The most dangerous of these organisations is the Jamaat Islami. The Jamaat Ulma is not like the Jammat-e-Islami.

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I have sometimes got information of secret meetings by sending some persons in those meetings and paying them for the information they brought. I have submitted reports on that basis."

10.40 Sub-Inspector Tasgaonkar states:—

"On the occasion of Waz meetings small secret meetings of four or five persons take place. We presume that at such meetings such propaganda is made which may lead to spread of communal feelings. Our L.I.B. staff have no admission to such secret meetings."

10.41 The activities of Muslim and Hindu organisations have also been referred to as leading to the communal tension. The organisations mentioned in this connection are the usual ones; viz., Majlis-e-Mushawarat, Jamaat-e-Islami, R.S.S., Jan Sangh and Hindu Mahasabha. We have already stated in our Ranchi report (Chapter II, Part III) that the activities of such organisations, in the present circumstances, are bound to keep any prevailing tension alive and have little chance of subduing such tension. There is no evidence, however, about any of these organisations having had a hand in the disturbances of the 17th September, 1967.

10.42 The D.M. has deposed:—

"The main activities of the Hindu Mahasabha appear to be to veer round the ideology of the slogan "HINDUSTAN HINDUONKA NA KISI KE BAPKA" as slogan which I banned in 1968 after the incidents of the Ganapati procession in 1967. Shri V. R. Patil was the active worker of the Hindu Mahasabha. The R.S.S. as a separate organisation is not strong in Sholapur.

Abdul Sattar is the leader of the Muslims in Sholapur and is associated with certain Muslim organisations. The main activities of these organisations, I think, is to oppose what V. R. Patil says. The Majlis-e-Mushawarat was formed in 1964 with a view to consolidating the Muslims of the country. In 1966 it assumed a political role. On 12th September 1967 the Mushawarat passed a resolution stating its lack of confidence in the Government's ability to protect the Muslims and called upon the Muslims to take measures to protect themselves. One common theme with the various Muslim organisations is "Pan Islamism."

10.43 He stated in the written statement:—

"The prominent Muslim organisations, viz. Tablik Jamat, Jamaat-e-Islami, Majlis-e-Mushawarat and the Muslim League have their workers in Sholapur proper and a number of others from outside visit Sholapur and gave sermons to the Muslims here about the ideologies of these parties in the grab of religious preachings. The regular "Waz" programmes are followed by mutual deliberations in groups of 4 or 5 by the audience,

and these are called 'Halka'. It is suspected that these preachings and deliberations impart regular preachings in intolerance, separatist attitude in the name of communal unity, and the way in which the 'aggressions' of other communities are to be encountered. The result of these preachings were patent in the following acts, calculated to imperil communal harmony, committed by the leaders and followers of these organisations, close on the eve of the communal riots on the 17th September, 1967. For details of Tablik sponsored Waz programme meetings held at Sholapur City from 1964 to 4th December 1967, kindly see an accompanying statement No. 2."

10.44 The D.I.G. has deposed:—

"The resolution of the Majlis-e-Mushawarat dated the 12th September, 1967, calling upon the Muslims to prepare for their protection seems to have led the Muslims to be on the offensive by, throwing brickbats etc. on the processionists."

10.45 He stated in the written statement:—

"Thus the leaders of the two communal parties have been on the forefront in creating, fomenting and sustaining communal tension.

The thoughts expressed by Majlis-e-Mushawarat in the articles published from time to time which ultimately culminated in the passing of resolutions of 12th September 1967 seems to have produced some impact on the minds of the community concerned and improper appreciation has led to undesirable effects."

10.46 Shri Tasgaonkar has deposed:—

"In Sholapur any individual incident between a Hindu and a Muslim is likely to flare up and lead to communal disturbances. This is because there is a sizeable Muslim population and the Hindu Maha Sabha is active. It is also because the Hindu Mahasabha and the Muslim League would like to use the incident for their political purposes. Thus an individual incident tends to develop into a communal disturbance."

10.47 Inspector Kulkarni has deposed:—

"What I have said in answer to question No. 4 is partly on the basis of my information and partly on Special Branch reports which I have seen. What these bodies preach is an exhortation to the Muslims to come together and to defend themselves in case of necessity. There is a Hindu Mahasabha at Sholapur. I have attended some of its meetings. It has been said there that barring few Muslims, the Muslims are anti-nationals and that Hindus have a right to play music before mosques. Special Branch people are expected to cover the proceedings of such bodies."

10.48 Reference, however, may be made to the resolution passed by the Majlis-e-Mushawarat on the 12th September, 1967, just five

days before the disturbances which took place at Sholapur on the 17th September, 1967. The resolution was probably passed in view of the incidents which had taken place in other parts of the country in 1967 and especially the disturbances at Ranchi that year. The resolution is:—

“The tragic incident has once again shaken the Muslims of India and has compelled them to revitalise their efforts to secure safety for themselves and pull out their fellow-countrymen from the quagmire of narrow-mindedness and petty prejudices. The Majlis-e-Mushawarat has after the communal riots of 1964 arrived at a conclusion that the majority community of the country has failed to create the atmosphere of love, oneness, tolerance and sympathy for Muslims of India. The unending series of riots after that and recent aggression has reaffirmed the conclusion. As regards the one-sided communal aggression against Muslims in Ranchi, the Majlis is satisfied that Muslims are victims of aggression. However, the Majlis wishes to remind Muslims of the pertinent difference between cowardice and being the oppressed. To offer effective resistance and fight in self-defence is a right acknowledged by ‘Shariah’, the law of the land and morality.”

10.49 It may be that the Muslims collected brickbats etc. in their houses in the Punjab Talim and Baba Kadri Mosque areas presumably to offer ‘effective resistance and fight in self-defence’ as the resolution refers to such a conduct to be a right acknowledged by ‘Shariah’, the law of the land and morality. To be fore-armed with a view to defend can sometimes lead to the party becoming the aggressor and that is probably what happened at Sholapur.

10.50 The search lists prepared in connection with the cases registered relating to the disturbances at Punjab Talim and Baba Kadri mosques support the oral statements of the witnesses about the large quantities of brick-bats, stones etc. being pelted at the processionists and the Police in the Punjab Talim area from the houses along the road and also in the Baba Kadri Mosque area from the houses as well as from inside the mosque. Such a quantity could not have been available in the houses in the normal course.

10.51 The collection of such articles in the houses could have gone undetected but the collection inside Baba Kadri Mosque should have been noticed by the Police posted there as these things must have been collected after the S.P. had been inside the mosque between 10 and 11 A.M. The S.P. has deposed that he went inside Baba Kadri Mosque between 10 and 11 A.M., went through the entire mosque and did not find any article collected there. It follows, therefore, that the collection of brick-bats, soda water bottles etc. inside the mosque took place later.

10.52 To have an idea of the brick-bats and other things found inside the Baba Kadri mosque, we note below from the recovery

List the articles recovered and the places where they were found:—

<i>Place of Recovery</i>	<i>Items recovered</i>
(Inside the mosque)	
1. A pond in the Chowk to the north of the Masjid measuring 20 ft. 9 inches square shape and 5 ft. 8 inches deep. At the bottom of the pond in the east-north side.	A heap of big pieces of freshly broken white Slabs were lying at the bottom of the pond on its north-east side. Besides many big and small pieces of brick-bats were also seen lying at the different places at the bottom of the pond.
2. Near the south-west corner of the pond (outside).	One bayonet (San cen) one knife (Churi) with both edges sharp, and one iron pipe 2 ft 8 inches long.
3. Under the staircase going to the roof of the Masjid, 12 ft. away from pond.	One big iron drum and some pieces of brick-bats, freshly broken, were lying there.
4. Inside the Masjid near the main gate.	Many big and small pieces of stones and brick-bats were lying.
5. In the open chowk of the Masjid.	Pieces of stones, brick-bats soda water bottles were lying here and there all around.
6. In the water of the pond.	Many pieces of soda water bottles, balls and packing rings.
7. In the area of taps, latrine and urinal at the southern side of the pond.	Big and small pieces of brick-bats.
8. Three wall-niches in the Masjid	Pieces of small brick-bats freshly broken.
9. Near the pillars, a square place measuring 7 ft. 6 inches \times 7 ft. 6 inches to the south.	Heap of big and small pieces of brick-bats.
10. On the south-east side of the heap of the stones and brickbats near the pillars.	10 soda water bottles in two iron crates (one carrying 4 and the other 6 bottles) 4 lathis, 1 iron pipe and 2 iron rods scattered.
11. To the east, in a residential room built of tin sheets in the Masjid.	Besides household articles heap of brick-bats.

10.53 The Baba Kadri Masjid road was littered with stones, brick-bats, broken soda water bottles etc. upto 51 steps south of the gate of the mosque and 101 steps north of the gate of the mosque.

10.54 It is to be noticed that the main collection inside the mosque was found in the southern portion and this indicates that the material was probably taken in through House No. 761 which is connected with the mosque by a door. If the Police had cared to keep a watch on this entrance to the mosque and on the door of House No. 761, such a collection might have been avoided.

10.55 Besides the local incidents already dealt with as responsible for the strained feelings between the communities at Sholapur, the other general causes would be the same as had been noticed in our other reports, viz., the distrust between the communities as a result of the partition of the country in 1947, the Hindu feeling that the Muslims are anti-national and have a soft corner for Pakistan and the incidents of desecration of temples, mosques and dargahs in Maharashtra during 1965 to 1967, which affected the relations of the communities in Ahmednagar, Malegaon and probably in other parts of the State of Maharashtra due to the publicity of the incidents in the newspapers. We need not repeat what we have said earlier in this connection.

10.56 Shri I. B. Tanksal has deposed:—

“During the General Elections, speeches are made which create communal tension.”

10.57 The District Magistrate has deposed:—

“During the Indo-Pak conflict of 1965 we interned a number of Muslims in Sholapur as it was apprehended that they might create trouble; some of them were decidedly pro-Pakistan.”

10.58 The D.I.G. of Police has deposed:—

“The Hindu Mahasabha people also dislike the Muslims crying “All Muslims of the world are one” and their cries of “Pakistan, Zindabad” etc. and their thinking in terms of pan-Islamic unity.”

10.59 He has also deposed:—

“Some Urdu Schools and Mission Schools avoid singing of the national anthem. The fact has been brought to the notice of the Education Department.”

10.60 Sub-Inspector Tasgaonkar has deposed:—

“30 Muslim leaders were detained in Sholapur under the D.I.R. during the Indo-Pak war of 1965 as they showed leanings towards Pakistan.”

10.61 Sub-Inspector Pargunde stated in his written statement:—

“While answering to Q. Nos. 2 and 3, I have given full information. All the Muslim organisations in India are having their branches in Sholapur, which propagate the communal views among the people. They say that they are not the real citizens of India and India is not republic country.”

10.62 He has deposed before us that this statement is based on the information collected during the Indo-Pakistan conflict of 1965 when some Muslims were interned under the Preventive Detention Act.

10.63 It has been urged by witnesses that it was a pre-planned scheme of the Muslims to create disturbances during the Ganapati

immersion procession and support for the view is sought from not only the fact of strained feelings between the communities from the past but also from certain facts observed on the 17th September, 1967. They are:—

(i) the Muslim houses at Punjab Talim had only men and adults and no women or children. The suggestion is that women and children were removed from the houses in anticipation of the trouble;

(ii) some of the men folk were found dressed in sarees at the time of arrest;

(iii) the stone pelting started at Punjab Talim shortly after Jainuddin Abdul Rahman Shaikh a member of the Peace Committee and M. Bakshubhai an influential person of the locality went away from Punjab Talim.

The necessity of the presence of the Peace Committee members arises only when situation worsens and the efforts of non-official Peace Committee members are expected to control the situation. The Peace Committee members are not to run away at the time. The fact that the D.A.V. College boys had shouted vulgar slogans for some time would not justify their leaving the place on being hurt at the shouting of the slogans. The Peace Committee members should not be too sensitive and not behave like ordinary persons whose conduct they are supposed to control when troubles arise;

(iv) the deliberate collection of large quantities of brick-bats, etc., in the various houses nearabout Punjab Talim and also near Baba Kadri Mosque as well as inside that mosque; and

(v) the annoyance felt by the Muslims on account of the seizure of the torches in excess of the sanctioned number on the occasion of the Mohurrum procession in 1966, giving them a cause for grievance against the Police and the aggravation of that grievance on account of the search of Haji Maniyar's shops and godowns a few days before the trouble on 17th September, 1967.

10.64 The aforesaid considerations can lead to an inference that the riots on that day had been pre-planned by the Muslims. There are, however, certain considerations which go against such an inference. One main consideration is that practically the entire Ganapati immersion procession had passed Punjab Talim without any trouble. Only about 10 out of 250 or 300 Ganapatis remained to pass by Punjab Talim. It is a matter for consideration that if the Muslims had pre-planned an attack on the procession, there was no reason for them to wait for so long to start the trouble. It is to counteract such a contention that it has been urged that the main plan was to attack the Police Ganapati on account of the incidents of the seizure of torches and the seizure of the unlicensed stocks of explosives from Haji Maniyar's shops and godowns. If so, the Muslim anger was against the Police and that may explain the late attack at Punjab Talim and also the attack of Baba Kadri Mosque once the trouble had started.

10.65 The other consideration can be that the disturbances remained confined to Punjab Talim and Baba Kadri Mosque areas only. If the Muslims as a community were determined to create disturbances against the Hindus as a community, the trouble could have taken place simultaneously at other places also in the city.

10.66 Another point against the theory of pre-planning is that attacks by the Muslims both at Punjab Talim and at Baba Kadri Mosque took place after the boys of D.A.V. College shouted abusive slogans at Punjab Talim and when some processionists tried to enter Baba Kadri Road through Malikarjun Temple Lane and Kiriteshwar Math Lane. It cannot be said here whether the Muslims would have started the stone pelting and the disturbances that night, if such a conduct on the part of some of the processionists had not taken place at either of the two places.

10.67 We would not like to go much further into the question whether the Muslims had pre-planned the disturbances or not. The cases both about the Punjab Talim incident and the Baba Kadri Mosque incident went to Court. We have already quoted the findings of the Sessions Judge in the Punjab Talim case. In the Baba Kadri Mosque case also Sessions case No. 71/68, the Court held that the Muslims collected in the Baba Kadri Mosque formed an unlawful assembly with the common object of not permitting the Hindus to go with their Ganapati images by Baba Kadri Road and compel the Police not to do their duty. Both the cases are still *sub judice* as appeals are pending in the High Court.

CHAPTER XI

Recommendations

11.1 We have dealt with the general recommendations for improving the relations between the communities and for the prevention of communal disturbances in the other reports, specially the reports on the disturbances at Ranchi and at Ahmednagar. We need not repeat what we have said in those reports.

Peace Committee

11.2 It appears that there is no permanent Peace Committee at Sholapur and it is organised by the Collector on the occasion of each festival. Shri M. K. Tabib has stated:—

“There is no Peace Committee on permanent basis in Sholapur. The Peace Committee is organised by the Collector on the occasion of each festival. The Peace Committee was formed on the occasion of the Ganapati procession in 1967.

Some good people including Communists were not called to the meeting.”

11.3 Shri Tabib described some of the Hindu members of the Peace Committee as communalists and none among the Muslim members as a ‘communal person’.

11.4 Shri I. B. Tanksal has deposed:—

“The Peace Committee in 1967 was constituted very differently from the Peace Committee in the previous years. Formerly the members of the Committee were taken from the localities and they used to be persons with some influence in the localities. In 1967 the Collector constituted the Peace Committee differently. On the Committee there were some persons who could be said to be fomenters of trouble. Most of the members of the Peace Committee were not even present at the Punjab Talim mosque when the incident took place there nor did they accompany the procession. The Peace Committee members did not even move about after the incidents.”

11.5 We have already commented on the conduct of a member of the Peace Committee, *viz.*, Jainuddin Abdul Rahman Shaikh, who went away from Punjab Talim very shortly before the start of the trouble and did not make his appearance on the spot again, or did anything to check the Muslims from throwing brick-bats, etc., on the Hindu processionists.

11.6 We recommended the establishment of a Peace Committee on a more or less permanent basis and suggested what it ought to do in Chapter XI, paragraph 11.7 of Part II of the Ahmednagar report.

Searching of Mosques

11.7 Searching of mosques, when arrangements are made in the area nearabout because of the apprehension of a breach of the peace on occasions of festivals and processions, should be effective. The mosques should be searched by the Police as close to the time of the passage of the procession as possible to ensure that there be no collection of materials which could be used as weapons of offence. The Police officers searching the mosques should make sure that all the entrances to the mosque are guarded and watched properly. If necessary, some of the entrances may be closed from inside. Steps should be taken by posting Policemen inside the mosque after the checking is done to see that the situation there is not changed subsequently by bringing in such materials.

Searching of Houses

11.8 It has been suggested that the Police should be empowered under the law to search houses for articles which could be used as weapons of offence. Such a power can be useful but in the circumstances prevailing in the country, we do not consider it to be a prudent and practicable proposition to empower the Police in that behalf.

11.9 The District Magistrate has suggested that the Policemen who are posted on the roofs of the houses on such occasions should be in uniform and not in plain clothes as the directions from uniformed constables are likely to have better effect than from the plain clothes constables. The suggestion is worth consideration.

Mobile Court

11.10 Many witnesses including public servants have suggested that there should be a mobile court with the procession as the prompt conviction of offenders by the Magistrate during the progress of the procession would deter others from committing similar offences. We quote below some of the statements made in this connection.

11.11 The District Magistrate has stated:—

“I think a Judicial Magistrate with the procession would be effective as much as if the first offenders in a procession are arrested and put before the Magistrate, that would deter others from committing a similar offence in that procession or in later processions.”

11.12 S. D. P. O. Deshpande states:—

“We feel that the utility of a Mobile Court will lie in this that if from the very beginning of trouble, the first few offenders are successfully arrested by the Police and put up before the Mobile Court and legally punished, it may affect the future conduct of the mischief-mongers among the people.”

11.13 Dy. S.P. Pawar has deposed:—

“I do not think that the presence of a Judicial Magistrate at the Punjab Talim would have been any more useful in

preventing the disturbances. The idea of a mobile court is that the slogan-mongers or the mischief-makers would be arrested on the spot and put before the Magistrate for trial. In the present case the mischief-makers were much larger in number and would have required a much larger Police force to arrest them and produce before a Magistrate. But, still the idea of a mobile court would have acted as a deterrent to the possible mischief-makers as the mere notification of the presence of a mobile court would have acted as some deterrent."

11.14 The suggestion about a mobile court along with the procession to try an offender promptly after his arrest sounds attractive as a deterrent for potential mischief-makers but does not appear to be very practicable.

11.15 The Police has powers u/s 72(2) of the Bombay Police Act to arrest without any order from a Magistrate and without a warrant, any person who contravenes an order or notification u/s 36 or 37 of the Act. Failure to arrest such persons promptly appears to be due to practical difficulties.

11.16 To arrest any person creating mischief during the procession of such a magnitude, as the Ganapati immersion procession, appears to be problematic especially when there may be many a sympathiser of the mischief-maker in the procession at the time and an actual arrest may precipitate further trouble.

11.17 An offender can be tried and convicted only of such offences as are summarily triable and there too, a law may entitle him to seek an adjournment of the trial in the interest of justice for purposes of engaging a counsel or some other good reason. The offence committed by shouting provocative slogans in breach of an order u/s 37(1) of the Bombay Police Act is punishable with imprisonment for a year u/s 135(i) of the Act and is, therefore, not triable summarily.

11.18 It may, however, be mentioned here that the Jahirnama issued by the District Magistrate u/s 37 of the Act did not prohibit public utterances of objectionable cries. This omission is surprising when it is considered that the instructions issued by the Superintendent of Police mentioned that the shouting of slogans could flare up communal trouble.

11.19 A suggestion has been made that the Police Ganapati, if any, should not form part of the Ganapati immersion procession. Whereas there would be no good reason to bar Ganapati installed by any group of people from joining the immersion procession, we would suggest that when such group of people belong to any Government department or service, the Ganapati should not be named as the Ganapati of that department or that service as the department or the Government service as such can have no Ganapati. The difficulty, however, may be that the people in general may use the shortest relevant expression to describe a particular Ganapati and may all the same name the Ganapati installed by a definitely recognisable group of people associated with a certain department or service as one installed by it.

11.20 We agree with the suggestion that Urdu should be taught in all the schools along with Hindi and any other language. Separate schools need not be started for the teaching of Urdu. In fact, it may be good that, for a couple of years, a student learning Hindi as a regular subject should be taught Urdu as a second language and a student learning Urdu as a regular subject, be taught Hindi as a second language. We quote below the views expressed by two of the witnesses on this subject. S.D.P.O. Ghorpade has stated in his written statements:—

“At present there are schools in which Urdu is taught and these schools are managed by Muslims and are meant for Muslims. This has created a false notion that Urdu is a language of Muslims. This educational system may be discouraged and Urdu may be taught in all schools just as commonly as any other language like Marathi, Hindi or other regional languages. Pupils of all communities should have common schools.”

11.21 Inspector Kulkarni has stated in his written statement:—

“There are separate Urdu Primary and Secondary Schools in this city and other towns in the State. Pupils of no other community than the Muslim community take education here since it is the only community here whose mother tongue is Urdu. Thus these schools have practically been exclusively for Muslims. The young children are thus separated from the rest of the communities and they grow in an altogether different atmosphere. With a view to create healthy relations and mutual regards amongst the communities there should be common schools for Hindu and Muslim pupils.”

11.22 The suggestion that the roads by which processions pass should be widened in the scheme of town planning is good but the disturbances that took place do not appear to be dependent on the width of the road along which the procession passed.

11.23 The District Magistrate has deposed:—

“The Executive Magistrate on duty on such occasions is expected to be alert and observant of what is happening in the area in his charge and, if necessary, to take proper action necessary for the occasion.”

11.24 The Executive Magistrates posted on such occasions to see to the maintenance of law and order should be alert, watchful and effective. The two Magistrates, Shri G. A. Bhosale and Shri T. G. Kakade, posted at Punjab Talim and Khatik Mosques, respectively, failed in these respects. The statement made by Shri Bhosale about certain facts which took place at Punjab Talim betrays his lack of attentiveness on the occasion, as his statement is at variance with the statements of other witnesses. We think that his following statement sums up his attitude, at the time that he was there only to order firing, if the situation required it. The statement is:—

“My duty as a Special Magistrate at Punjab Talim was to see to the maintenance of law and order. I was not expected

to do police duty. I have no uniform. The only effective work I did was to give an order for firing. Had Shri Pawar not come to ask for order for firing, I would have called him and given the order for firing."

11.25 The idea of a Magistrate having a uniform is ridiculous.

11.26 Executive Magistrates posted on such occasions should invariably be required to submit a written report of what happened at that place. The District Magistrate has deposed:—

"Only the Executive Magistrate at Punjab Talim submitted a written report of what happened there, as he had ordered firing. No other Executive Magistrate submitted any written report."

If written reports are to be submitted by each Magistrate, he would be more alert in noticing what is happening in the area in his charge. Possibly the idea that he has to submit a written report about firing accounts for the impression of Magistrates like Shri Bhosale that the only effective work he has to do is to give an 'order for firing'.

11.27 Sub-Divisional Magistrates are primarily responsible for the maintenance of law and order in their sub-divisions. Such duty they can discharge effectively only when reports of the subordinate agencies reach them promptly. This does not appear to have been the case at Sholapur. Shri Lal Fak Zuala, Sub-Divisional Magistrate, has deposed:—

"I had no reports before the incidents that there was any apprehension of trouble or that any party was making preparations for creating trouble.

Police reports about communal matters do not come to the S.D.M. They are sent direct to the D.M. When some action is to be taken the D.M. sends the report to the S.D.M. for necessary action. The Tahsildar (Mamlatdar) sends his fortnightly report to the Collector direct but sends a copy of it to the S.D.O."

11.28 We would suggest that Police reports about communal matters should also be sent direct to the Sub-Divisional Magistrate.

11.29 The intelligence system deserves a lot of improvement. It should be capable of getting information of the proceedings of secret meetings arranged for, or suspected to be utilised for, communal purposes. It is an important part of their duty to secure information of secret bodies and associations and then to evolve means to secure correct information efficiently and promptly.

Before concluding our work, we wish to place on record our appreciation and gratitude for the assistance we have received from our first Secretary, Shri Asoka Sen, who had established the office, arranged its procedure and fixed up the details of the working of the Commission. Our thanks and appreciation are also due to the

present Secretary, Shri D. K. Das and other officers and staff who worked throughout with whole-hearted devotion.

We should like to make a special mention of Shri J. C. Ghatak, Chairman's Private Secretary, who had to shoulder the brunt of the preparation of the reports and put a lot of hard work outside office hours. He had assisted the Commission in the various stages of its work, has worked ungrudgingly and efficiently and has shown exemplary devotion to duty.

We would also like to make particular mention about Shri K. L. Ramachandran, Commission's Under Secretary, who had to shoulder the responsibility of making arrangements and preparing the statements and annexures for the reports. He discharged his duties with great zeal and devotion.

RAGHUBAR DAYAL,
Chairman.

B. H. ZAIDI,
Member.

M. M. PHILIP,
Member.

NEW DELHI;
Dated 31st July, 1970.

ANNEXURES

ANNEXURE I

List of persons/organisations who submitted affidavits/statements of the Communal Disturbances at Sholapur on 17th September, 1967.

(Para. 1-13 of Part I)

S. No.	Name and Address
A.—AFFIDAVITS	
1.	Shri I. B. Tanksal, 259, Muslim Pachha Peth, Sholapur.
2.	Shri M. K. Tabib President, Muslim League, Sholapur, 149, Shaniwar Peth, Sholapur.
3. (a)	Shri Amanulla Shah Itabarshah, Sholapur.
(b)	Shri A. Aziz Ansarsaheb Kureshi, Sholapur.
4.@	Shri A. R. Siddappa Oname, 381, East Mangalwar Peth, Sholapur.
5.	Shri M. V. Mhalge, Merchant, 194, Mangalwar Peth, Sholapur.
6.	Shri Abdulsattar Mohemedhusain Jamadar, President, Muslim Majlis-e-Mushawarat, 12/68, Begumpeth, Sholapur.
7.	Shri B. B. Chavan, 96, Shaniwar Peth, Sholapur.
8.*	Shri B. N. Jakkal, Editor, Sholapur Samachar, Sholapur.
9.	Shri H. D. Risbud, 114/8, Murarji Peth, Sholapur.

@Also submitted two statements.

*Also submitted one Statement.

S. No.	Name and Address
10.	Shri D. M. Kamble, 39/8, Railway Lines, Sholapur.
11.	Maj. M. T. Chati, 149, Railway Lines, Sholapur.
12.	Shri B. V. Mulay, 44, Railway Lines, Sholapur.
13.	Shri N. P. Nagarwalla, 146-E, Railway Lines, Sholapur.
14.	Shri G. N. Bembalgi, 149, West Mangalwar Peth, Sholapur.
15.	Shri P. S. Shival, 802/803, Halwai Galli Sholapur.
16.	Shri R. K. Kshirsagar, 468, New Pachha Peth, Sholapur.
17.	Shri K. P. Rajopadhye, 39/4-A, Railway Lines, Sholapur.
18.	Shri L. S. Badavane, 441, Dakshin Kasba, Sholapur.
19.	Shri K. L. Bajpai, 433, Dakshin Kasba, Sholapur.
20.	Shri A. G. Lunje, 188, Shanivar Peth, Sholapur.
21.	Shri M. V. Shah, 141, Murarji Peth, Sholapur.
22.	Shri S. B. Gandhi, 162/19, Railway Lines, Sholapur.
23.	Shri P. G. Kusurkar, Convenor, Secular Foru 80 (A), Navi Peth, Sholapur.
24.	Shri P. J. Joshi, 95, Morarji Peth, Sholapur.
25.	Shri V. G. Valsangkar, Advocate, Sholapur.

S. No.	Name and Address
26. (a)	Shri G. G. Jatkar, Advocate; Sholapur.
(b)	Shri G. G. Paricharak, Advocate, Sholapur.
27.	Dr. K. B. Antrolikar, 444, South Kasba, Sholapur.
28.	Dr. V. D. Kirpekar, 'Prerana', Station Road, Sholapur.
29.	Shri J. M. Shaha, 441, Shukrawar Peth, Sholapur.
30.	Shri S. M. Karape, Insurance Inspector, Ligade Block, Park Chowk, Sholapur.
31.	Shri R. M. Vaidya, 208, South Kasba, Sholapur.
32.	Shri S. G. Gavasane, 1031, North Kasba, Masra Gali, Sholapur.
33.	Shri G. N. Ause, 692, North Kasba, Sholapur.
34.	Prof. S. R. Phadke, Bethel Nivas, 39-A, Railway Lines, Sholapur.
35.	Shri A. N. Bhalake, 85, East Mangalwar Peth, Sholapur.
36.	Shri M. M. Gambhire <i>alias</i> Tamma Gambhire, East Mangalwar Peth, Sholapur.
37.	Shri S. V. Joshi, 542, South Kasba, Sholapur.
38.	Shri B. D. Tandale, 73, East Mangalwar Peth, Sholapur.
39.	Shri S. S. Barbade, 556, West Mangalwar Peth, Sholapur.

S. No.	Name and Address
40.*	Shri S. M. Dhanshetty, Chairman (in 1967), Madhyavarti Ganesh Utsav Mandal, 1466, Bhavani Peth, Sholapur.
41.	Shri V. S. Banshetti, Deputy President, Madhyavarti Ganesh Utsav Mandal, 739, Shukravar Peth, Sholapur.
42.	Shri P. N. Sonavane, 41-42, Shukravar Peth, Sholapur.
43.	Shri B. L. Rone, 13, Railway Lines, Sholapur.
44.	Dr. M. J. Chidgupkar, 853, North Kasba, Sholapur.
45.	Shri D. N. Tulpule, 139, Morarji Peth, Sathee Building, Sholapur.
46.	Shri R. Y. Patil, 256, South Kasba, Sholapur.
47.	Shri K. S. Lingsheti, East Mangalwar Peth, Sholapur.
48.	Shri D. L. Date, 567, Uttar Kasba, Sholapur.
49.	Shri V. D. Gautam, 95-A, Morarji Peth, Mekaniki Chowk, Sholapur.
50.	Shri S. S. Solunke, 129, Navi Peth, Sholapur.
51.	Shri B. S. Upase, 386, East Mangalwar Peth, Sholapur.
52.	Shri M. P. Pukale, 38, Navi Peth, Sholapur.
53.	Shri M. M. Konapure, Mangalwar Peth, Sholapur.

*Also submitted one statement.

S. No.	Name and Address
54.	Shri B. M. Khandekar, Police Sub-Inspector, Salagarvasti Police Station, Sholapur.
55.	Shri M. M. Pargunde, Police Sub-Inspector, Jail Road Police Station, Sholapur.
56.	Shri B. A. Ashtekar, Police Sub-Inspector, Valsang Police Station, Sholapur.
57.	Shri H. S. Vanjari, Police Sub-Inspector, Taluka Police Station, Sholapur.
58.	Shri R. Y. Deshpande, Dy. S. P. (S.D.P.O.), Sholapur.
59.	Shri Y. S. Swami, Head Constable, Karakamb Outpost, Pandharpur Taluka P.S.
60.	Shri B. G. Mahadik, Company Commander, State Reserve Police, B. Coy., Dhaund, District Poona.
61.	Shri V. B. Bhosle, Police Sub-Inspector, Faujdar Chavadi, Sholapur.
62.	Shri R. M. Jahagirdar, Jamadar, Special Branch, Sholapur.
63.	Shri M. S. Varma <i>alias</i> Tasgaonkar, Police Sub-Inspector, Special Branch, Sholapur.
64.	Shri A. L. Naikwadi, Jamadar, Special Branch, Sholapur.
65.	Shri V. R. Dravid, I.P.S., Superintendent of Police, Sholapur.
66.	Shri V. R. Ghorpade, Sub-Divisional Police Officer, City Division, Sholapur.

S. No.	Name and Address
67.	Shri S. G. Pawar, Dy. S. P. Task Force, Poona Range, Kolhapur.
68.	Shri D. M. Kulkarni, Police Inspector, Faujdar Chavadi Police Station, Sholapur.
69.	Shri G. A. Bhosle, Special Executive Magistrate, Sholapur.
70.	Shri T. G. Kakade, Ex-Taluka Executive Magistrate, North Sholapur.
71.	Shri Lal Fak Zuala, Sub-Divisional Magistrate, Sholapur Sub-Division, Sholapur.
72.	Shri B. S. Dhavle, District Magistrate, Sholapur.
73.	Shri D. P. P. Thorat, Dy. I. G. of Police, Poona Range, Kolhapur.

B.—STATEMENTS

74.	Shri M. S. Shamshapure, 284, South Kasba, Hajibhai Chowk, Sholapur.
75.	Shrimati Jaybunnisa Begum, Maulana Sheikh, 513, North Kasba, Sholapur.
76.	Shri Mannabi Ibramsab Sheikh, North Kasba, Sholapur.
77.	Shri Yusuf Ismail Sheikh, 396-71, Siddheshwar Peth, Sholapur.
78.	Shri M. A. Sheikh, 763, Shukraiwar Peth, Sholapur.
79.	Shri I. J. M. Saiyad, 145, Railsay Lines, Sholapur.

S. No.	Name and Address
80.	Shri Muneer Chandsahib Sheikh, Empire Watch Co., 366, South Kasba, Sholapur.
81.	Shri M. A. Rahim Quraishi, Executive Member, All India Majlis-Tameer-e-Millat, Madina Mansion, Narayanaguda, Hyderabad-29
82.	Shri M. S. Sheikh, 488, Uttar Kasba, Near Punjab Talim, Sholapur.
83.	Shri D. K. Saheb Nadaf, 611, Dakshin Kasba, Sholapur.
84.	Shri S. T. Hanchate, President, Hindu Sabha, Sholapur.
85.	Shri S. G. Chivte, Karmala, District Sholapur.
86.	Shri B. V. Mahajan, 528, Dakshin Kasba, Sholapur.

ANNEXURE II

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

(Paras. 1·17 and 2·1 of Part I)

<i>S. No.</i>	<i>Date</i>	<i>Name of witness</i>
1.	7-7-69 . . .	Shri A. R. Siddappa Oname, 381, East Mangalwar Peth, Sholapur.
2.	7-7-69 . . .	Shri M. V. Mhalge, 194, Mangalwar Peth, Sholapur.
3.	7-7-69 . . .	Shri S. S. Barbade, 556, West Mangalwar Peth, Sholapur.
4.	8-7-69 . . .	Dr. M. J. Chidgupkar, 853, North Kasba, Sholapur.
5.	8-7-69 . . .	Shri A. N. Bhalake, 85, East Mangalwar Peth, Sholapur.
6.	8-7-69 . . .	Shri K. L. Bajpai, 433, Dakshin Kasba, Sholapur.
7.	9-7-69 . . .	Shri M. K. Tabib, President, Muslim League, Sholapur, 149, Shaniwar Peth, Sholapur.
8.	9-7-69 . . .	Shri R. Y. Patil, 256, South Kasba, Sholapur.
9.	9-7-69 . . .	Shri M. A. R. Qureishi, Executive Member, All Inria Majlis Tameer-e-Millat, Madina Mansion, Narayanguda, Hyderabad.
10.	9-7-69 and 10-7-69 .	Shri S. M. Dhanshetti, Chairman (in 1967) Madhyawarti Ganesh Utsav Mandal, 1466, Bhavani Peth, Sholapur.
11.	10-7-69 . . .	Shri B. D. Tandale, 73, East Mangalwar Peth, Sholapur.

S. No.	Date	Name of witness
12.	10-7-69 . . .	Shri Abdulsattar Mohmedhusain Jamadar, President, Muslim Majlis-e-Mushawarat, 12/68, Begum Peth, Sholapur.
13.	11-7-69 . . .	Shri D. M. Kulkarni, Inspector, Faujdar Chavadi, P.S. Sholapur.
14.	11-7-69 . . .	Shri I. B. Tanksal, 259, Muslim Pachha Peth, Sholapur.
15.	12-7-69 . . .	Shri B. M. Khandekar, the then S. I. Police, Salgarvasti Police Station (now Police Sub-Inspector, State Traffic Branch, Sangam Bridge, Poona-5).
16.	14-7-69 . . .	Shri M. M. Pargunde, S.I., Jail Road P.S., Sholapur.
17.	14-7-69 . . .	Shri H. S. Vanjari, S. I. Taluka P.S., Sholapur.
18.	14-7-69 . . .	Shri B. A. Ashtekar, S.I., Valsang P.S., Sholapur.
19.	15-7-69 . . .	Shri M. S. Varma <i>alias</i> Tasgaonkar, S.I. Special Branch, Sholapur.
20.	15-7-69 . . .	Shri R. Y. Deshpande, Dy. S. P. (S.D.P.O.), Sholapur.
21.	15-7-69 . . .	Shri V. R. Ghorpade, S.D.P.O., City Division, Sholapur.
22.	16-7-69 . . .	Shri R. M. Jahagirdar, Jamadar, Special Branch, Sholapur.
23.	16-7-69 . . .	Shri A. L. Naikwadi, Jamadar, Special Branch, Sholapur.
24.	16-7-69 . . .	Shri B. G. Mahadik, Inspector. B. Coy. Group I, Dhaund, Distt. Poona.
25.	16-7-69 . . .	Shri G. A. Bhosale, Special Executive Magistrate, Sholapur.
26.	16-7-69 and 17-7-6	Shri T. G. Kakade, Ex. Taluka Executive Magistrate, North Sholapur. (now Administrative Officer, Zila Parishad, Satara).

<i>S. No.</i>	<i>Date</i>	<i>Nam of witness</i>
27.	17-7-69 . . .	Shri Lal Fak Zuala, S.D.M. Sholapur. (Now S.D.O., Wardha).
28.	17-7-69 . . .	Shri S. G. Pawar, Dy. S. P. Task Force, Poona Range, Kolhapur.
29.	17-7-69 . . .	Shri V. R. David, S. P. Sholapur.
30.	18-7-69 . . .	Shri B. S. Dhavle, the then D.M., Sholapur.
31.	18-7-69 . . .	Shri Ramachandran Andure, Head Constable, Armed Police.
32.	18-7-69 . . .	Constable Kashi Nath Pondarnath, Armed Police.
33.	18-7-69 . . .	Shri Gulab Singh, Reserve Sub-Inspector, Sholapur.
34.	18-7-69 . . .	Shri D. P. P. Thorat, D.I.G., Poona Range, Kolhapur.

ANNEXURE III

Documents exhibited in the course of oral evidence.

(Para. 1·8 of Part I)

<i>Exhibit No.</i>	<i>Name of witness filing the exhibit</i>	<i>Date</i>	<i>Description of the exhibit</i>
I	Shri M. K. Tabib, 149, Shaniwar Peth, Sholapur.	9-7-69	Newspapers— 'Sanchar' dt. 18-9-67.
II	Do.	Do.	'Sanchar' dt. 19-9-67.
III	Do.	Do.	'Sanchar' dt. 20-9-67.
IV	Do.	Do.	'Sanchar' dt. 21-9-67.
V	Do.	Do.	'Sanchar' dt. 22-9-67.
VI	Do.	Do.	'Sanchar' dt. 23-9-67.
VII	Do.	Do.	'Sanchar' dt. 26-10-67.
VIII	Do.	Do.	'Sanchar' dt. 20-11-67.
IX	Do.	Do.	'Sanchar' dt. 25-11-67.
X	Do.	Do.	'Samachar' dt. 5-1-68.
XI	Do.	Do.	'Sanchar' dt. 6-1-68.
XII	Shri Abdul Sattar Mohammad Husain Jamadar, 12/68, Begum Peth, Sholapur.	10-7-69	His letter dated 10-7-69 to the Chairman Commission of Inquiry on Communal Disturbances, Camp Poona, asking for another date for his hearing.
XIII	Shri G. A. Bhosale, Special Executive Magistrate, Sholapur.	16-7-69	His letter No. SEM/Bandobast/1967 dated 18-9-67 to the District Magistrate, Sholapur reporting the incidents of 17-9-67.
XIV	Shri M. S. Varma <i>alias</i> Tasgaonkar, Sub-Inspector, Special Branch.	15-7-69	CR No. 192/67 and 193/67,—19 Photo- graphs of Khatik Mosque.
XV	Do.	Do.	CR No. 194/67—11 Photographs of Baba Kadri Mosque.
XVI	Do.	Do.	CR No. 195/67 and 196/66—15 Photographs of Punjab Talim Mosque.
XVII	Do.	Do.	Foujdar Chavdi Cr. No. 75/66, under section 153/34.

ANNEXURE IV

List of documents called for from the State Governments.

(Para. 1.19 of Part I)

1. Copies of reports submitted by Officers on duty at Sholapur on 17th September, 67 to their superior officers and reports submitted by District Magistrate to the Commissioner and State Government in connection with Sholapur Disturbances.
2. Copy of judgement of Cr. No. Case No. 8/67, u/s 182, I.P.C. against Abdul Sattar of Sholapur.
3. Copy of circular Memo No. SB/199, dated 18-8-67 regarding preventive measures in connection with the Ganapati Festival issued by the I.G. of Police (MS) Bombay.
4. Wireless message of I. G. of Police M. S. Bombay, No. SB/199, dated 28-8-1967 regarding Ganapati Festival 1967.
5. Copy of the Message No. SBI/DIS 1067/30551, dated 28-8-67 from Secretary to the Govt. of Maharashtra Home Deptt. (Spl.) Bombay.
6. Copy of Memo. No. 64/GF/2308/SB/1967, dated 29-8-67 of S. P. Sholapur regarding precautionary measures in connection with Ganapati Festival.
7. Copy of Memo. No. 64/GF/2314/SB/67, dated 30-8-67 regarding preventive measures in connection with Ganapati Festival 1967 issued by the S. P. Sholapur.
8. Judgement in C. C. No. 58/67, under Section 110 (e) and (f) State Vs. S. K. Maghor of Hyderabad at present resident of Sholapur.
9. Statements of S/Shri Md. Kassim Hazarat Shaikh, A. Latif Aniso Sheikh, Md. Rafi Nabiso Kumta, Amin Ahmed Shaikh, Sidhan Ganga Ram, Mahibooob w/o Abuddin Kureshi, Md. Hassanso Sagaree, Hafiz Tasdook Hussain, Hafiz Garibhussain Ansari and Soharab Kawasji Maghor in the case at S. No. 8.
10. Report dated 8-3-67 of S.D.P.O. City Div., Sholapur.
11. Report of S.D.M. Class I, Sholapur dated 8-3-67.
12. Log Book entry of control Room dated 17-9-67.
13. Copy of Resolutions of Lucknow convention of All India Majlis-e-Mushawarat, held on/22-8-1964.
14. Copy of Resolutions of all India Hindu Maha Sabha Session held at Sholapur in May, 1964.
15. Copy of judgement on Fauzdar Chavadi P.S.C.C.R. No. 192/67.
16. Copy of judgement on Fauzdar Chavadi P.S.C. C.R. No 193/67.
17. Copy of judgement on Fauzdar Chavadi P.S.C. C. R. No. 194/67.
18. Copy of judgement on Fauzdar Chavadi P.S.C. C. R. No. 195/67.

19. Copy of judgement on Fauzdar Chavadi P.S.C. C. R. No. 196/67.
20. Riot Emergency Scheme of Sholapur City.
21. Copies of Injury reports on officers.
22. Copies of Injury reports on persons sent to Civil Hospital Sholapur for treatment on 17-9-67.
23. F.I.R. No. 5-A, C.R. No. 192/67.
24. Copies of entries in Civil Hospital in respect of all persons taken to Hospital or who went of their own accord.
25. Copies of correspondence regarding rehabilitation :
 - (1) Order No. DCB/II/3072, dated 18-10-67 of Collector, Sholapur.
 - (2) Memorandum No. KAL. 3708/160-S, dated 4-3-1968 of Rev. and Forests Department, Sachivalaya.
 - (3) Letter No. DCB/II dated Nil from Collector Sholapur to the I. G. of Police, Bombay.
 - (4) Memorandum No. NAL. 3908/161-8, dated 20-3-68 from Rev. and For. Deptt. Sachivalaya.
 - (5) Memorandum dated 23-5-68 from Rev. & Forests Deptt. Sachivalaya.
26. Copy of Prohibitory Order dated 3-9-67 of S. P. Sholapur u/s 36, B. P. Act.
27. Copy of Bandobast Order No. 64/GF/23/4, dated 30-8-67 of S. P. Sholapur.
28. Copy of order No. GF-2376-SB-1967 dated 3-9-67 of S. P. Sholapur regarding bandobast scheme in connection with Ganapati Festival 1967.
29. Copy of circular No. 64-GF/2367-1967, dated 3-9-67 issued by S.P. Sholapur regarding maintenance of Law and Order in connection with Ganapati Festival, 1967.
30. Copy of order No. 64/GF/2525/SB of 1967 dated 15-9-67 issued by the S. P. Sholapur regarding Bandobast in connection with Immersion Day on 17-9-67.
31. Copy of order No. 64/GF/2537/SB/67, dated 16-9-67 issued by S. P. Sholapur regarding Bandobast in connection with Immersion Day on 17-9-67.
32. Copy of Charge Sheet C. R. No. 192/67.
33. Copy of Charge Sheet C. R. No. 193/67.
34. Copy of Charge Sheet C. R. No. 194/67.
35. Copy of Charge Sheet C. R. No. 195/67.
36. Copy of Charge Sheet C. R. No. 196/67.
37. Copies of entries in Station Diaries of Jail Road P. S., Sadar P. S., and of Sholapur City for 17-9-67, 17-9-67 and 17-9-67 to 19-9-67 respectively.
38. Copies of case diaries F.C. C.R. No. 192/67.

39. Copies of Case Diaries F.C. C.R. No. 193/67.
40. Copies of Case Diaries F.C. C.R. No. 194/67.
41. Copies of Case Diaries F.C. C.R. No. 195/67
42. Copies of Case Diaries F.C. C.R. No. 196/67.
43. Copies of Weekly confidential Diary (L.I.B. Report) sent by the S.P. Sholapur for July, August and September, 1967.
44. Copy of Final Order in Civil Suit No. 89 of 1954 S/S V. S. Banshetti, S. M. Dhanshetti and V. R. Patil Vs. State of Bombay.
45. Copy of judgment of 27 BLR Saiyid Manzbur Hasan Vs. Saiyid Mahammad Zaman.
46. Injury Reports, Post Mortem Notes, Pancharamas and Case Papers regarding F.I.R. 5A, CR-192/67.
47. Injury Report, F.I.R., Pancharamas and Case Papers regarding F.I.R. 5/CR, 193/67.
48. Injury Report, Panchanamas, F.I.R., and Case Papers regarding C.R. 194/67.
49. Injury Report, Post Mortem Notes, Panchanama, F.I.R. and Case Papers regarding CR. No. 195/67.
50. F.I.R., Case Papers, Panchanamas regarding C.R. No. 196/67.
51. Copy of judgment convicting Shri Murshad Mohd. Hanif of Baganhalli u/s 448 of I.P.C. for trespassing, etc.
52. Copies of speeches delivered by S/S V. R. Patil and H. A. Bahleshwar of Sholapur in public meetings held on 9-8-1964 and 22-8-1964.

ANNEXURE V

Names of persons who were called to give oral evidence but did not appear.

(Para. 2.2 of art I)

<i>Sl. No.</i>	<i>Name of witness</i>	<i>Date on which called</i>	<i>Remarks</i>
1.	Shri P. G. Kusurkar, Convenor, Secular Forum, 80-A, Navi Peth, Sholapur.	10-7-69	Summons served. Did not appear.
2.	Shri S. T. Hanchate, President, Hindu Sabha, Sholapur.	11-7-69	Do.
3.	Shri V. B. Bhosle, Sub-Inspector. Faujdar Chawadi P.S., Sholapur.	14-7-69	Was in hospital due to accident.

SITE PLAN OF PUNJAB TALIM

Legend

- (1) The place of incident where Police Constable Bhimashankar was wounded and fell down.
- (2) House No. 488, the door of which was broken.
- (3) The place opposite to House No. 513 where the cycle was set on fire.
- (4) House No. 561 where on the upper floor two doors and two window facing the road show marks of firing.
- (5) Two big windows on the upper floor of House No. 457 facing the road and also a small window which have got marks of firing, at a height of 17 feet from the ground.
- (6) House No. 456 opposite Mohini Cycle Mart where tins, wooden pieces, etc. were set on fire.
- (7) Uttar Kasba House No. 511 to House No. 664, upto House No. 45a everywhere on the road pieces of stones, tiles and soda-water bottles were found.
- (8) Place where bulb on an electric pole near Urinal was found broken.
- (9) Place opposite House No. 451 where a Pandal for Ganapati festival was put up.
- (10) The shop adjoining House No. 559 where tea boxes and KIRANA articles were lying thrown.

- (11) The place where the offender was seen running after hitting with stones, the injured police constable (who died later).
- (12) The place where the offender was caught.

SITE PLAN OF BABA KADRI MASJID

Legend

- (1) Place of incident.
- (2) Place where the mob was collected.
- (3) Direction from where Police Officers and police party came.
- (4) Place where P.S.I. Shri Bhosle opened fire (None injured).
- (5) Place where P.S.I. Shri Ashtekar opened fire (None injured).
- (6) Place where P.S.I. Shri Bhosle opened fire (None injured).
- (7) Place where P.S.I. Shri Bhosle opened fire when Soda-water bottles and burning cloth-ball were thrown (None injured).
- (8) Place where P.S.I. Shri Bhosle was hit by a tile on his nose, when accidentally one round went off in the air.
- (9) Place where S.D.P.C., Sholapur City, Shri V. R. Ghorpade opened fire.
- (10) Place where P.S.I. Shri Bhosle opened fire (Persons injured).
- (11) Place where chilli powder water mixed with chilli powder, iron bars, tiles were stored.
- (12) Place in the Masjid where soda-water bottles and heaps of tile pieces were stored.
- (13) Areas where stones, tiles and floor-chips were stored on the roofs of houses.

SITE PLAN OF KHATIK MASJID

Legend

- (1) The place where tear gas party was stationed.
- (2) The place where Police Officers and S.R.P. were standing for Bandobast purpose.
- (3) The place where S.D.P.O. Shri Deshpande was standing for Bandobast purpose.
- (4) The place where miscreants manhandled the police officer Shri Deshpande and snatched his lathi.
- (5) The place where the wireless motor van was standing.
- The place where the incident took place.
- (6) The place where the KHATIK people were rounded up and arrested.
- ← ← ← Direction of the mob.
- (7) The place where S.R.P. police were standing for Bandobast purpose.

ANNEXURE IX

Statement showing details of communal incidents recorded within Sholapur City limits during the years 1925 to 1967

(Paras. 10.3, 10.5 and 10.9 of Part II)

Year	Incident and date	Accused	Brief particulars of incidents	Remarks
2	3	4	5	6
1925	Rath Procession of Ashadhi Ekadashi on 2-8-1925.	Muslims 2 cases	The Muslim culprits numbering more than five formed an unlawful assembly and assaulted processionists going with Ashadhi Ekadashi Rath Procession while playing music in front of Punjab Talim Mosque.	
1925	Desecration of Nandi on 2-9-1925.	Muslims 1 case	Muslim culprits desecrated Nandi of God Mahadeo in Begam Peth, Sholapur.	
1925	Rath Procession on 28-10-1925	Muslims 13 cases	The processionists in the Rath Procession who were playing music in front of Punjab Talim mosque were assaulted resulting in several offences in Kasba Peth, Mangalwar Peth and in Tarti Naka area.	
	Rath Procession on 28-10-1925	Hindus 2 cases	Hindus manhandled two Muslims in Mangalwar Peth.	
	1-11-1925	Muslims	Muslims assaulted Hindus in Begum Peth.	
1927	Rath Procession on Ashadhi Ekadashi on 10-7-1927.	Hindus 7 cases	On 10-7-1927 i.e., last day of Moharram three Moharram tigers participating	

		Muslims	in the Moharram festival forced their way into the Rath Procession near Madhala Maruti resulting in riots and other offences.
		2 cases	
11-7-1927		Hindus	Hindus committed one offence of assault and another offence of assault and hurting religious feelings of Muslims in Mangalwar Peth.
		2 cases	
12-7-1927		Muslims	Muslims committed one offence hurting religious feelings of Hindus in Mangalwar Peth.
		1 case	
13-7-1927		Muslims	In a procession taken out in memory of Muslim saint some Muslims by their acts created friction between Hindus and Muslims.
		1 case	
14-7-1927		Muslims	Muslims hurt religious feelings of Hindus by throwing away an emblem of Hindu God Mahadeo from Sidheshwar Panchkatta.
		1 case	
7	Objectionable tampering and removal of Idol of God Mahadeo on 9-8-1927.	Muslims	Ditto.
		1 case	
7	Disturbances on the last day of Ganapati Festival 10-9-1927.	Hindus	Ganapati procession was stoned by Muslims at Manik Chowk who had assembled there for taking out Zenda procession. The provoked Hindus assaulted Muslims.
		5 cases	
11-9-1927		Muslims	Muslims committed three offences of stabbing in Mangalwar Peth, and Victoria Market, three offences of assault in
		8 cases	

		<u>Hindus</u>		Shukrawar Peth and two offences of hurting religious feelings of Hindus in Ganesh Peth and Shukrawar Peth.
		5 cases		
12-9-1927	. . . .	<u>Muslims</u>		Hindus committed two offences of murders of Muslims in Shukrawar Peth and Mangalwar Peth and three offences of riots and hurting religious feelings of Muslims in Shukrawar Peth, Mangalwar Peth and Ravivar Peth.
		4 cases		
		<u>Hindus</u>		
		1 case		
13-9-1927	. . . .	<u>Hindus</u>		Muslim culprits committed three murders of Hindus in Mangalwar Peth, Sakharpeth and Kasba Peth. Similarly one offence of hurting religious feelings of Hindus was committed by Muslims in Navi Peth.
		1 case		
14-9-1927	. . . .	<u>Hindus</u>		Hindus committed an offence of riot in Kasba Peth.
		1 case		
9	Communal disturbances at Sholapur on 21-5-1939.	<u>Hindus</u>		Hindu gun-licensee tried to frighten Muslims by firing shots.
		5 cases		Hindus hurt religious feelings of Muslims in Sakhar Peth.
				Muslims objected to the slogans being shouted by the procession of Arya Samaj Satyagrahis who had come from outside to participate in Arya Samaj Satyagraha at Hyderabad demanding more employment opportunities to Hindus, the majority community. This resulted in four murders by Hindus in Wara Lane, Tilak Chowk and Kumbhar Ves and one stabbing by Hindu at Bali Ves.

		<u>Muslims</u> 3 cases	Muslims committed three stabbing offences in Madhala Maruti area.
22-5-1939		<u>Muslims</u> 4 cases	Four stabbing by Muslims took place in Jodbhavi Peth, Kumbhar Ves, North Kasba and Sidheshwar Peth.
		<u>Hindus</u> 1 case	One stabbing by Hindu took place in Sakhar Peth.
23-5-1939		<u>Muslims</u> 5 cases	Three murders were committed by Muslims in Vijapur Ves Chowk, Old Akalkot Motor stand and Madhala Maruti area. Similarly two stabbings were done by Muslims in Victoria Market area and Dhor Galli in Shukrawar Peth.
1941	Communal disturbances on the last day of pole procession during Gadda Fair on 15-1-1941.	<u>Muslims</u> 14 cases	The returning Gadda Fair Hindu Pilgrims were stabbed by Muslims from funeral procession of Shri Abdul Hamid Kadar-khan near Markendeya Temple resulting in death of 7 Hindus and serious injuries to other persons.
16-1-1941		<u>Muslims</u> 1 case	An attempt of murder of a Hindu was made by a Muslim in Jodbhavi Peth.
20-1-1941		<u>Muslims</u> 1 case	Muslim broke Mahadeo Pindi in Sakhar Peth.
1947	Communal incidents on 14-6-1947.	<u>Hindus</u> 2 cases	Muslims, Ex-employees of Bhagwat Chitra Mandir, were stabbed by Hindu door-keepers inside the compounds of Bhagwat Chitra Mandir and Kismat Talkies.

	Muslims	Hindu door-keeper was stabbed by Muslim Ex-employee inside the compound of Bhagwant Chitra Mandir.
	1 case	
15-6-1947	Hindus	Two Muslims were stabbed by two Hindus near Tarti Naka.
	2 cases	
17-6-1947	Muslims	One Hindu was murdered by some Muslims near Bakhale Press in Vijapur Ves area.
	1 case	
7 Communal incidents on 1-8-1947.	Hindus	Hindus murdered ten Muslims by stabbing them. Similarly twelve Muslims were stabbed by Hindus. These offences took place in the area between Vijapur Ves to Mechanic Chowk.
	22 cases	
	Muslims	Muslims murdered three Hindus by stabbing them. Similarly four Hindus were stabbed by Muslims. These incidents took place in the aforesaid area. The curfew was imposed to prevent further incidents on 1-8-1947.
	7 cases	
3-8-1947.	Muslims	The curfew was lifted for two hours in the morning on 3-8-1947 during which Muslims murdered five Hindus by stabbing and also stabbed 8 Hindus in Victoria Market i.e., Laxmi Market area.
	13 cases	
952 Attack on funeral procession on 25-4-1952.	Muslims	The funeral procession of Shri Bhimashankerappa Dhullappa Kavathekar was attacked by Muslims at Bawa Kadri mosque because the processionists were singing Bhajan and the Muslims in Bawa Kadri mosque were offering Friday prayer. After initial stoning three Hindus were stabbed by Muslims.
	1 case.	

2	3	4	5
		<u>Hindus</u> 1 case	At Bali Ves maternity home, one retired Muslim Head Constable was stabbed by Hindus.
1955	Attack on funeral procession on 12-8-1955.	<u>Muslims</u> 1 case	A Hindu funeral procession was attacked by Muslims near Akrar Ali mosque since beating drums was being done by the processionists.
1966	Attack on Hindu marriage procession on 24-4-1966.	<u>Muslims</u> 1 case	Shri Bholu Nabilal Shaikh and three other Muslims attacked a Hindu marriage procession which was passing Begum bi mosque in Begum Peth since music was being played.
1966	Assault on Hindus on 3-7-1966	<u>Muslims</u> 1 case	Shri Tanaji Kashinath Mahindrakar dashed against the Muslim near Punjab Talim while riding the by-cycle. This led to an assault by Shri Chand Abdul Karim and 8 other Muslims on Shri Tanji Kashinath Mahindrakar and five others.
1966	Assault on Muslims on 1-8-1966	<u>Hindus</u> 1 case	Shri Tanaji Kashinath Mahindrakar and nine other Hindus assaulted some Muslims in Punjab Talim area.
1966	Damage to Ganapati idol installed at Kiriteshwar Math on 20-9-1966.	Undetected	The Ganapati idol installed at Kiriteshwar Math was damaged by unknown boys.
	Disturbance during Ganapati installation procession to Kiriteshwar Math on 20-9-1966	<u>Hindus</u> 1 case	Hindu processionists caused damage to Jikariya hotel and pan shop belonging to Muslims. They also attempted to cause damage to Punjab Talim mosque. They threw burning swab in the house of Shri Işmail Abdul Razaq.

	<u>Muslims</u>		Muslims pelted stones on Hindu processionists at Bawa Kadari mosque area in which P. I. Shri D. M. Kulkarni and Armed P. C. Jadhao received stone injuries.
	I case		
	<u>Hindus</u>		Hindu processionists damaged pan-shop of Shri Mohd. Husain Abdul Rahim and looted the articles inside the shop.
	I case		
	<u>Hindu</u>		Hindu processionists broke open the cycle shop of Shri Mahibub Saheb Papamiya Pathan and damaged the articles inside the shop.
	I case		
966	Throwing flaming swabs on Khatik mosque on 16-10-1966	Undetected	Flaming swabs were thrown at the outer gate of Khatik mosque. No damage was caused.
966	Desecration of Mahadeo Pindi on 20-12-1966.	Undetected	Mahadeo Pindi in Shambhuling temple was desecrated by throwing nightsoil.
967	Interference in celebrations of Shiva Jayanti on 5-5-1967	<u>Muslim</u> I case	Shri Abdul Sattar Mohd. Husain Jamadar gave information to the Police Inspector Foujdar Chavdi that the promoters of Shiv Jayanti Mandal were damaging Anarkali Takiya Kabarastan. The Police enquiry revealed that the information given was false.
97	Attack on marriage procession on 18-5-1967.	<u>Muslim</u> I case	Shri Mehboob Subhani Kothmire and Shri Abdul Hamid Allaudin Sheikh pelted stones on a Hindu marriage procession which was passing Kali mosque.

2	3	4	5
967	Unauthorised activities over Muslim land belonging to Hindu on _____ 20-6-1967. I case	Murshad Hasan Saheb Iadle Choudhari unlawfully trespassed on the land bear- ing Survey No. 525/2 and belonging to Shri S. R. Shah <i>alias</i> Nimbargikar and started religious activities of permanent nature.	
967	Attack on Hindu marriage feast Muslim Radha Krishana Mandir. on _____ 24-6-67. I case	Sarvashri Babulal Hajrat Mutta and Tajuddin Abdul Karim Shaikh of Shola- pur threw soda water bottles in Radha Krishana Mandir at Hindu marriage party which was inside the Mandir.	

ANNEXURE X

Statement showing details of incidents that caused communal tension at Sholapur City during 1963 to 1967.

(Paras. 10-17 and 10-29 of Part II)

Year	Incident showing details and date.	Community	Brief particulars of the incidents
2	3	4	5
1963	Ganapati procession on 2-9-1963	Hindu	On 2-9-1963 Ganapati procession was in Punjab Talim. One of the processionists had 'Gulal' on the fore-head of Shri Chandale who was standing in front of him. Little quantity of 'Gulal' fell on one person standing nearby causing displacement and commotion. One Lazim was thrown from the premises.
1966	Jamdade Affair. on 11-4-1966	Hindu	One Shri Ramchandra Shivram Jamdade was killed by Rashid Abdul Samad Maindargi of Sholapur as a result of lightning on 11-4-1966. The body post mortem was handed over by the police to the son of his Muslim keeper in response to a request by him. When the body was being taken for cremation in a procession Shri V. R. Patil intervened by the brother of the deceased Shri Chandale and obstructed the procession and claimed the body for disposal according to lingayat rites. The body was being claimed by Hindus as well as by Muslims. The body was taken in Police custody with the consent of his brother and other relatives and Shri V. R. Patil who took up the cause of Hindu community. Abdul Sattar Jamadar who took up the cause of Muslims.

			Muslims were advised to get the d in the Civil Court. Accordingly both approached the Civil Court and the decided that Ramchandra Shivram Ja lingayat and that the body should be to his brother for disposal.
66	Moharrum Karbala procession on 2-5-1966.	Muslims	Acting on complaints received from H Head Constable Swami checked and sei which were in excess of the number s the District Magistrate on 2nd May, 1 day the Karbala procession was to take the seizure, Mutwalli of Darvesh P physical resistance for the seizure of by the H. C. Swami. Shri Abdul Sa Husain Jamadar thereupon organised 2,000 Muslims and led to the Collecto against police action and announced th procession was suspended. In his discu authorities the then S. P. gave an assu matter would be looked into. Shri Abd decided to resume the Karbala proces vised the morchaists accordingly.
1966	Shahi Masjid Mardi Case on 29-8-1966	Hindus	With a view to establishing the claim o over the mosque at Mardi, Shri V. R. P; along with about 50 local villagers, tered the mosque on 29-8-1966, de tombs and installed idols of Mahadeo The Police have registered an offence Shri Patil and 41 others. (The case is
66	Pelting of stones on Hotel on 8-10-66.	Hindus and Muslims <u>1 case.</u>	A Hindu and a Muslim boy were caught while throwing stones on Jijkrya Hotel at Foujdar Chavdi P.S.C.R. No. 172/6 tered. Since a Hindu boy involved, veloped,

966	Provocative Announcement on a notice board on 10-10-1966	Hindus I case	S/Shri T. G. Ingale and S. M. Patil of H. charge-sheeted for writing a provocative announcement on a notice board calculating to hurt the feelings of Muslims. An offence at Foujdar Chavani No. 175/66, was registered.
966	Fasting before Khatik Mosque on 1-12-66/8-12-66	Hindus	In furtherance of anti-cow-slaughter movement V. S. Dhodkunde, belonging to HMS started fasting in support of the anti-cow-slaughter movement before Khatik Mosque causing tension.
966	Save life of Shankaracharya Day on 17-12-66.	Hindus	Shri V. R. Patil and other HMS followers got together to the public to observe hartal and fast on that day. He organised a batch of 18 people in front of Kala Maruti Temple in Sakharu and addressed a public meeting there causing tension.
966	Arrest of Shri V. R. Patil (HMS) for breach of 144 Cr. P.C. on 20-12-1966.	Hindus I case	Following the discovery of night-soil on the temple in Pindi inside Shambhuling Temple, tension prevailed amongst the Hindus in that locality. As mischief was not attributable to any one person, Hindus on the basis of evidence available concluded as a result that the tension started dying on the day V. R. Patil, HMS tried to foment tension by organising a Bhajan programme near the temple in violation of the order u/s 144 Cr. P.C. which was prohibited by the authority. Shri V. R. Patil was arrested by the Police for breach of prohibitory order. The Bhajan programme fell through. The arrest of V. R. Patil caused considerable tension among the rank and file of Hindus.
966	Desecration of Pathan Darga on 23-12-1966	Muslim I case	One Shri Shahabuddin Mohd. Saheb Mirza complained to the Police by an application on 21-12-1966 that stones of a Muslim temple were being removed hinting that it was the work of HMS since the HMS office was situated near the temple. The police kept a watch on Pathan Baba and on 23-12-66 a Muslim boy named

7 Instigation to Muslim on 7-3-1967 Muslim
1 case

Mehboob Khan Pathan was caught while removing stones from the tomb of Baba Darga. An offence was registered under Chavdi P.S.C.R. No. 222/66, since the offender was a Muslim boy the tension eased.

Several written complaints were received by Police to the effect that Murshad Sholapur Mheher of Hyderabad who stayed at J. Sholapur was abusing National leaders by instigating Muslims against Hindus. Tension eased up after chapter case was filed against Murshad vide Jail Road P. S. Chapter Case No. Cr. P.C.

. Obstruction to Shiv Jayanti Festival on 5-5-1967 Muslim
1 case

Shri Abdul Sattar Mohd. Husain Jamadar obtained interim injunction from the Civil Court, Sholapur in the currency of which Shiv Jayanti festival was held. The injunction was later on vacated. During interim period tension prevailed.

. Instigation to Muslims on 27-5-67. Muslim
1 case

The trespass committed by Murshad Mohd. Husainsaheb of Began Halli, in Bijapur, in unauthorisedly occupying Sholapur Police Station protected monument for offering prayers caused strong protest from Hindu quarters and tension. Shri Ranganath Balwant U. Ranga Pahelwan 38, Navi Peth, Sholapur complained to Police by his application in which it was indicated that the H. U. should launch an agitation over the issue. The injunction was vacated to ease the tension. (Foujdar Chapter Case No. u/s 110 Cr. P. C.

. Seizure of unlicensed stocks of Muslim explosives etc. on 11-9-67 and 15-9-67. Muslim
1 case

On 11-9-1967, Haji M. F. Maniyar, his wife and one servant sold prohibited goods to the bogus customer sent by Police.

a raid was conducted and the stock
His two godowns—one clandestine and
licensed and two shops were sealed on
and were again searched on 15-9-67 w
stocks of detonators, gelatine, cartridge
potassium chlorate, potassium cyan
seized. An offence at Jail Road P. S. Cr. N
u/s 120-B I.P.C. and 5 of the Explosive
Act was registered. Haji M. F. Man
well respected citizen and a top ranking b
at Sholapur. He is a trustee of mosqu
khana also of the Social Association school
by the Muslims of Sholapur. The invo
such a prominent person and his three s
tension with the rank and file of Mus
munity.