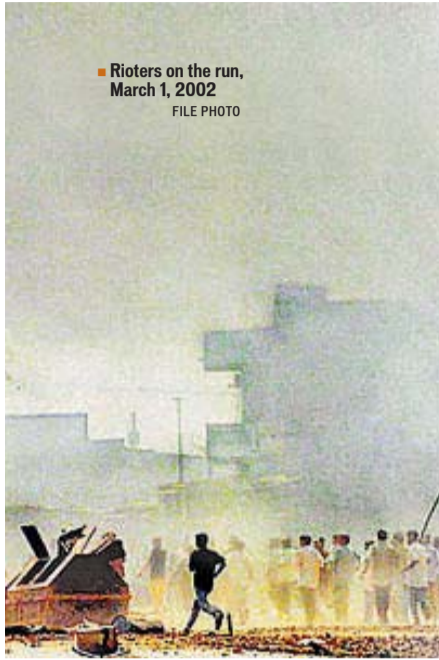


# think! THE BIG STORY



Rioters on the run, March 1, 2002  
FILE PHOTO

## AFTER THE VERDICT

**HOPE AND FEAR** Two weeks after a historic judgement convicting 32 people of murder in Ahmedabad's Naroda Patiya, its consequences are being felt in and around the site of the worst rioting in Gujarat in 2002

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Amina Abbas, 50, has often seen Narendra Modi's cavalcade pass the road in front of her home in Ahmedabad's Naroda Patiya. Each time, she feels a mixture of anger, fear and hopelessness — anger that the Gujarat chief minister never once visited her largely working-class Muslim colony, the site of the worst violence in riots that convulsed the state in 2002; fear that the mobs that set houses on fire and killed more than 90 people will return; and hopelessness about her future in the city. "Wherever there is a calamity, leaders are supposed to go," she said in Hindi, standing outside the community mosque, on September 11, the day that Modi set off on his Vivekananda Yuva Vikas Yatra from Bahucharaji, a Hindu pilgrimage town in Mehsana district in north Gujarat, launching his campaign for the state assembly election due in December. "But he did not even make a pretence of commiserating with us."

Clearly among the locality's more articulate and fearless residents, she was the first to come forward from among a cluster of people, mostly men, sitting and standing around the mosque. At the end of August, when she heard on TV that a special court had convicted 32 people for murder and rioting in her locality, she felt a measure of satisfaction (see panel 'Three key judgements'). Most of the convicts are from neighbouring settlements — either Chharas, classified as a criminal tribe by the British, or Sindhis, from families that were refugees of Partition, including the area's MLA, Mayaben Kodnani, a former state minister and a doctor who ran a clinic in the area.

Historic in India for its conviction of not just the foot soldiers of a riot but also the generals orchestrating it, the judgement's effects are gradually rippling through communities connected with the worst brutality of 2002.

"It partly restored our faith in the law," said Amina, whose immediate family, her husband and two sons, escaped the violence, but whose home was looted. "Innocents — poor, vulnerable people — were murdered and raped. Our homes and livelihoods were destroyed. What has the Gujarat government done to help us rebuild our lives?"

Amina stopped working on February 28, 2002, the day the mobs came. She had a job in the neighbouring Hindu area of Chiloda, in a press that prints examination papers; she had the responsibility of ensuring employees did not leave the premises with copies. "I am too afraid to work in a Hindu area," she said, adding that she planned to move soon to Bhiwandi, a Muslim-majority textile town 20 kilometres northeast of Mumbai, where she has relatives. Said her husband Abbas, 65, a retired mill worker: "Muslim votes make no difference to Narendra Modi." But Amina has no faith in the Congress either. "It did nothing during the riots or afterwards," she said.

In the nearby Chhara settlement, about a dozen of whose residents have been convicted, Chetna Rathod, 29, and Ankur Garange, 24, are two prominent, educated youngsters. They weren't keen on being photographed but talked freely about the judgement, sitting in the Chhara community centre, whose street-facing facade, with its bright handprints made with paint catches the eye amidst the area's unrelenting hodgepodge of low-flung tenements lining narrow, slush-filled lanes. On the door hangs a board: Budhan Theatre. Inside, against three walls are eight steel cupboards, stacked with mostly English books, a surprisingly high-brow and eclectic collection, including Rabbit and Rest by John Updike and Walter Laqueur's Europe in Our Time. In an open yard behind the room, a man is selling plastic pouches of what is apparently country liquor; several youngsters are sitting on wooden benches, drinking.

"Traditionally, the community made a living through thievery and brewing liquor," said Rathod in Hindi. "But we are trying to change things." Founded in 1998 with the help of writer and activist Mahasweta Devi and academic-activist Ganesh Devy, the centre aims to chan-



Amina Abbas, 50, outside a mosque in Naroda Patiya, a suburb of Ahmedabad that witnessed the worst rioting in 2002



The Chhara community centre and library



Neeraj Jain, a neighbour of Mayaben Kodnani, believes she was framed.

nel young people's energies into reading and theatre and bring about communal harmony, she said. After the 2002 riots, the group ran workshops for Muslim children in Patiya who had seen their parents being killed, said Garange.

As a youngster, however, Garange regularly attended programmes run by the local Rashtriya Swayamsevak Sangh branch, at a cricket ground nearby. "I even wore khaki pants," he recalled. "They told us that we were Hindus, that Muslims were our enemies. They taught us inflammatory songs. But they didn't succeed because our experience with Muslims has been good."

Just the previous day, Achyut Yagnik, the author of several books on Gujarat and the founder of the Ahmedabad-based non-profit group, Centre for Social Knowledge and Action, had said that for two decades the Bharatiya Janata Party (BJP) had been wooing an emerging class of urban, educated Dalits and backward castes, some of whom were attracted to Hindutva as a resolution of their identity crisis. Some Chharas continue to attend the Sangh's programmes, said Rathod, adding that Babu Bajrangji's home was a five-minute walk from the



About a dozen residents of Chhara Nagar (above) were convicted of murder.



A woman at the eerily quiet Apna Ghar Colony in Sindh-dominated Kuber Nagar

The judgement may have jolted some god-fearing people among the Gujarati middle classes, but mainly among the older generation.

ACHYUT YAGNIK  
author and activist

centre, by way of emphasising Hindu fundamentalism's hold on parts of the locality. Bajrangji, a former leader of the extremist Bajrang Dal, was convicted last month, along with Kodnani. Yet Rathod found it hard to believe that so many Chharas had been found guilty of murder. "Chharas are often involved in property-related crimes," she said candidly. "But according to our customs, you cannot kill."

"I was young when the riots took place, but I've heard about the atrocities, and I'm glad some people have been punished," said Garange. "But you can't say anything about Modi in Gujarat. The rich support him. He will come back to power"

On the other side of Patiya lies the lower-middle-class Sindh locality of Kuber Nagar. On a stretch facing the main road are a row of dispensaries. One of them, as the Gujarati sign indicated, belongs to Mayaben Kodnani. When asked when she last came there, a man at a counter outside shrugged and turned away, discouraging further conversation. A woman inside claimed she had sold it six months ago. Two doors away a sign read 'Surendra Kodnani', Mayaben's husband. At 9 am, his clinic was closed. A man in a saffron robe sitting on the stoop outside said the compounder would open it after an hour. Deeper inside Kuber Nagar, a man on a bicycle stopped, eager to talk. A retired public prosecutor at the chief metropolitan magistrate's court, he identified himself as NS Saini. "The Naroda verdict is unprecedented in Gujarat," he said in English. "Convictions act as a great deterrent. But they will probably have no effect on Modi's prospects in the election. He has charisma." He directed us to the Apna Ghar colony nearby, where he said the families of some of the Sindh convicts lived. In this colony, people peeped out, but few wished to speak. One man finally



### THREE KEY JUDGEMENTS

"For the first time in Independent India, we have a high rate of conviction in communal rioting, going all the way up to the political masterminds. There is a long way to go, but the convictions have punctured a culture of impunity and ensured some accountability for lives and dignity lost," says Teesta Setalvad, secretary of Citizens for Justice and Peace, an NGO at the forefront of the fight for justice.

#### 1 NARODA PATIYA, ON THE OUTSKIRTS OF AHMEDABAD

Deaths during the riots: 97  
Date of the judgement: August 29, 2012

Court: Special court judge Jyotsna Yagnik, at a special designated court in Ahmedabad, supervised by the Supreme Court

Convicted: 32 people, including BJP MLA and ex-minister Maya Kodnani, former Bajrang Dal convener Babu Bajrangji, BJP leaders Bipin Panchal and Ashok Sindhia and former corporator Kishan Korani — all of murder; 29 acquitted

Sentences: Life terms to 31 people

What next? NGO Citizens for Justice and Peace plans to file appeals with respect to the acquittals and accountability from policemen on the beat.



BJP legislator Mayaben Kodnani

FROM THE COURT ORDER: Acts of communal violence are brutal, inhuman and shameful...It [Naroda] was a clear incident of human rights violation as 97 people were killed brutally within a day which included helpless women, children, aged persons...This was a pre-planned conspiracy and it cannot be mitigated just by saying it was a reaction [to the] Godhra train burning incident. State Government protected and shielded the guilty accused, especially its minister, by providing protection to her when she was absconding.

#### 2 ODE, ABOUT 90 KM FROM AHMEDABAD

Deaths during the riots: 27  
Dates of the judgements: April 12, 2012 and May 4, 2012

Court: Judge PB Singh and Judge RM Sareen, at a special court in Anand

Convicted: 23 people and 10 people respectively, of murder and rioting

Sentences: 18 of the 23 convicted in April were sentenced to life imprisonment, the remaining five to seven years in prison; nine out of 10 convicted in May were sentenced to life imprisonment.

What next? NGO Citizens for Justice and Peace has filed appeals in the high court in the first case and will file one soon in the second.



A policeman carries away an elderly convict.

#### 3 SARDARPURA, ABOUT 80 KM FROM AHMEDABAD

Deaths during the riots: 33  
Date of the judgement: November 9, 2011

The court: Special court judge SC Srivastava of the district and sessions court of Mehsana

Convicted: 31 people, of murder and rioting

Sentences: The court sentenced 31 people to life imprisonment and fined them ₹50,000 each. It acquitted 42 others, 11 for a lack of evidence, while the remaining 31 got the benefit of the doubt. These 31 have been asked to submit a solvency bond of ₹25,000 each and told not to leave the country without the court's permission.

What next? Supported by the Citizens for Justice and Peace, victims and witnesses have filed appeals against acquittals and the judgements that did not uphold the charge of conspiracy.



A convict's relative breaks down.

ventured out, but would reveal only his first name — Anil. He said he did not know much, including whether any of the convicts lived there. An elderly woman also tentatively stepped out. "Yes, I saw Mayaben and others being arrested, on TV, but I know nothing else," she said in Hindi before ducking back inside. Several activists, such as Gautam Thaker, the Gujarat general secretary of the People's Union for Civil Liberties, said the Sindhis may have clammed up because they were angry with Modi for having forsaken them. "Besides those convicted, many others are also still fighting cases against them," he said.

Several kilometres away, in Ahmedabad's upper middle-class Shahibagh area, in Om Towers, where Kodnani lived on the 10th floor, people were more forthcoming. The building's supervisor, Atmaram Parmar, 62, said she had been an upright resident. "I liked her," he said. "She was from the BJP, which I support. Modi's work is good. He is a good person."

"What happened with Mayaben, it's wrong," said Neeraj Jain, 28, a textile merchant, attracted by the gathering crowd. "She's a respectable doctor. She could not have done all those things. She has been framed." An older man, cradling an infant, nodded vigorously. "The riots were a spontaneous reaction to what happened at Godhra," he said, referring to the torching of a compartment of the Sabarmati Express on February 27, 2002, largely carrying Hindutva activists returning from Ayodhya. He did not want to reveal his name.

Jain and Parmar are members of Gujarat's growing urban and urbanised middle class, the vast majority of whom Yagnik had said still staunchly supported Modi, especially youngsters. "My business has prospered during his rule," said Jain. "Gujarat hasn't had a riot in the past decade. Modi is India's best chief minister." Just then, his father walked by, asked him whom he was talking to and frisked him away.

Four days later, Modi's yatra had reached Navsari district in south Gujarat. By then, Amina Abbas had also moved south, to Bhiwandi, unsure about when she would return to Naroda Patiya. "I am waiting to see," she said over the phone, "whether or not those above Mayaben and the convicts come to their rescue."