

Narratives of Survival and
State Response in the
Mumbai riots
1992-93

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Sarai Fellowship - 2007

Recovering Lost
Histories Riot victims,
communal polarization
of Mumbai,
its impact on people
and perceptions
about
communities



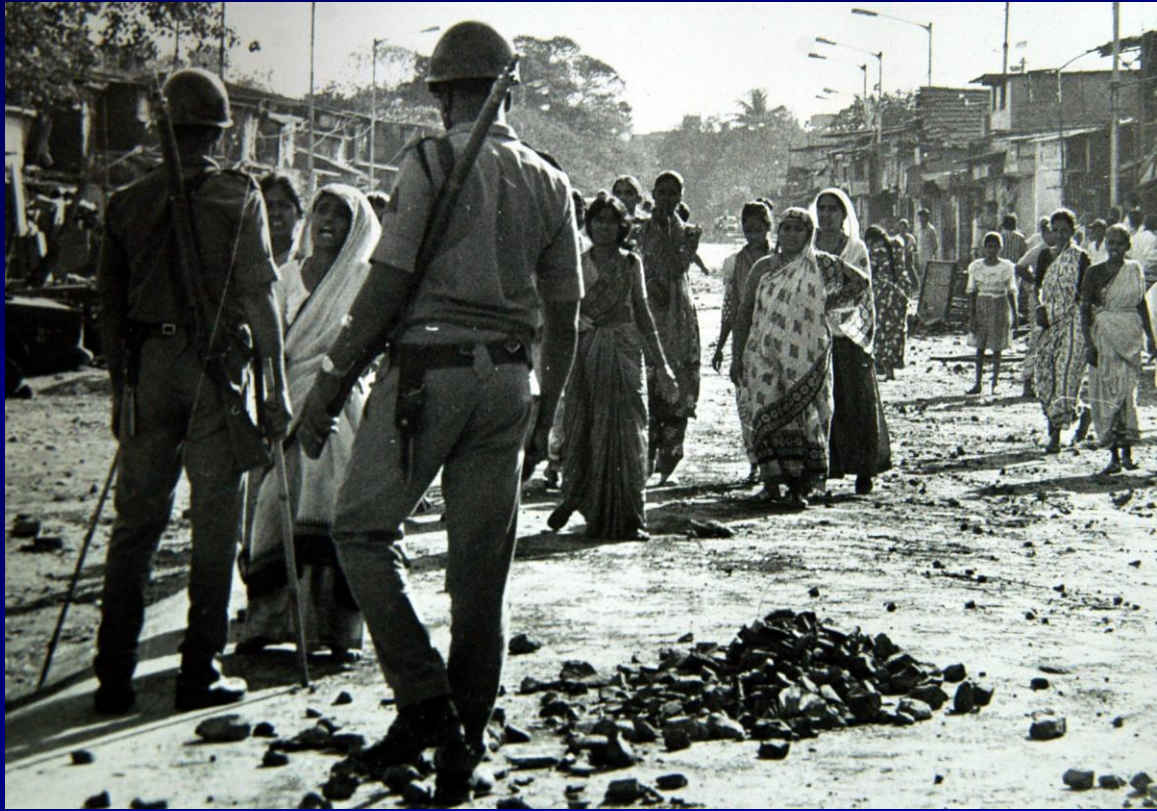




Impact of Riots

- 900 killed, 645 missing, officially 173
- Thousands rendered homeless
- Crores lost in destruction of property and business





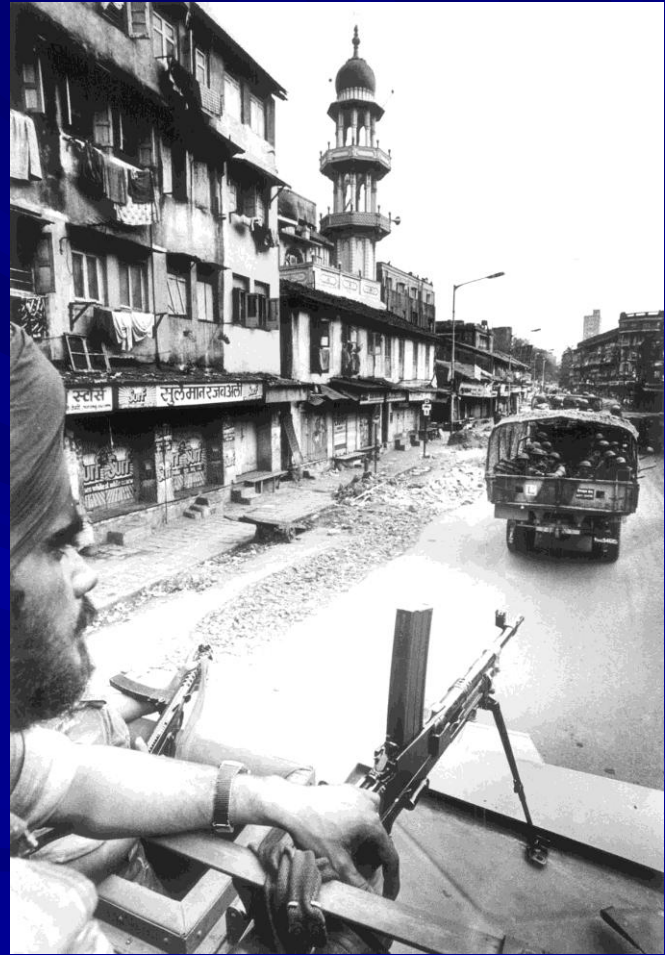
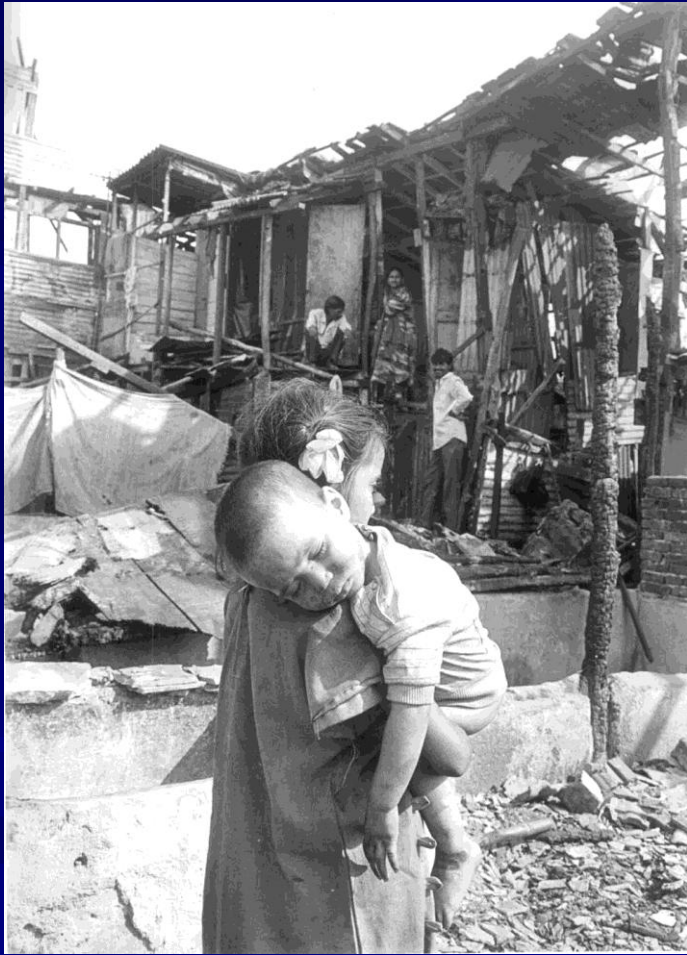


Impact of Riots – 20 Years Later

- Polarisation of communities
- Loss of Livelihood, economic hardship
- Disillusionment and alienation
- Formation of new ghettos
- Lack of Justice
- Mental trauma and lingering sense of loss

Tahir Wagle







Using RTI for cases against Bal Thackeray

- First RTI application in Dec 2004 rejected under section 8.
- First appeal rejected in Jan 2006 but second appeal allowed by CIC .
- May 2007 replies from Mumbai police - eight cases against Thackeray, four withdrawn, two closed for lack of evidence and two cases had chargesheets delayed

CIC order

- Second appeal heard by CIC and his final order in October 2010 saying text of orders withdrawing the case etc can be given to me
- More delaying tactics and replies started in January 2011, seven years after my RTI. Almost 20 cases under 153A of IPC.
- In 2000 Home dept asked for all cases against Thackeray. Till date no permission for prosecution

Tahir Wagle case

- Fourth investigation report in 2012 disbelieves eye witness evidence and says no case made out against police for the death of Shahnawaz Wagle in January 1993 outside his home. His sister Yasmin saw him being shot but no complaint was made and this brazen cover up as Justice Srikrishna called it, will remain exactly that.

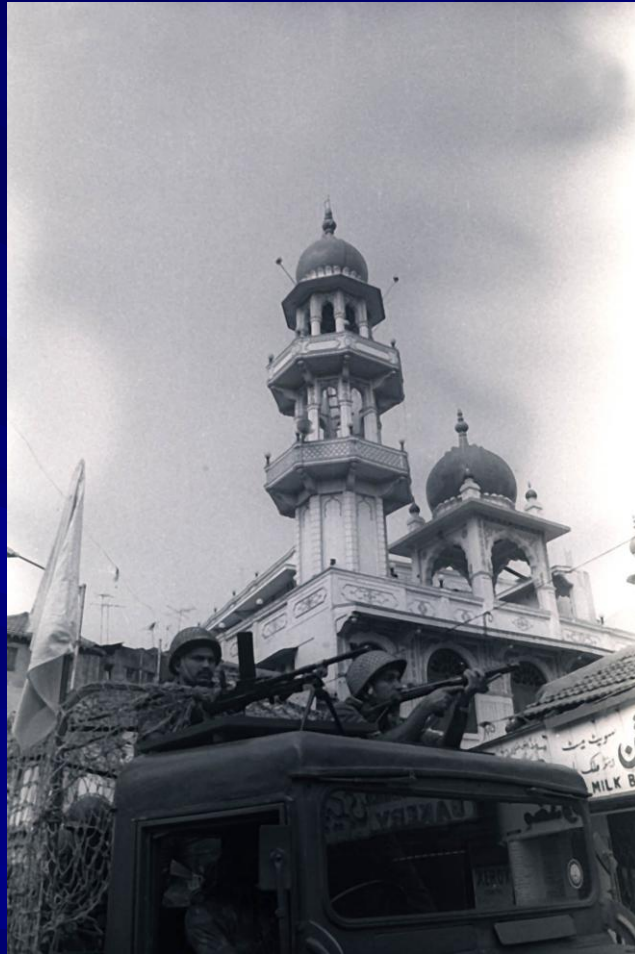
Crime and no punishment

- In the case of Suleiman Bakery , Supreme Court upheld the trial court and high court conclusion that none of the policemen though armed had fired a single bullet.
- In the case of Star Metal works, the TADA court acquitted accused for lack of evidence. Nine people including two children were burnt to death

Missing persons

- Outside Vile Parle station, sandwiched among vegetable vendors, Rashida Kotawala has been mending bags ever since her husband went “missing” in the riots, along with his brother, never to return. “If I had sat still hoping for his return, we would have gone hungry,” she says.





No hawking licence

- Today her elder son Hussain is studying to be a surgeon while the younger one is doing ayurvedic medicine. Interest free loans from her community, the Bohras, helped her educate her children. Her only fear is the civic demolition squad which keeps confiscating her bags and other materials, since she doesn't possess a hawking license.

Justice for Terror Attacks

- While the state set up a designated court under the Terrorist and Disruptive Activities(prevention) act (TADA) court to try the cases of the serial blasts of March 12, 1993, which resulted in 100 convictions in 2007, the riot victims had nowhere to seek justice

State Response to Riots

- Lack of seriousness in dealing with cases. Two review committees to look at closed cases, only one politician convicted.
- Chargesheets not filed in time. Police not protecting witnesses. Protecting the perpetrators as in the case of Hari Masjid by not filing FIR till court orders in 2008. Impunity for police and politicians who are named in the Srikrishna Commission

Police closed 1371 cases of the 2267 cases

- Of the 1371, 112 cases were reinvestigated and of this in eight cases fresh chargesheets were filed, Of the 31 policemen indicted by the Srikrishna Commission 10 were punished after departmental inquiries, 11 were found not guilty and one died. Cases on the implementation of the Commission's report are still pending in the Supreme Court.



