

## Inside Gujarat's Relief Colonies

### Surviving State Hostility and Denial

*Many of those who survived but were displaced by the widespread communal violence in Gujarat in 2002 have been forced to remake their lives in "relief colonies" that are without most basic public services. Surveys of these colonies and their inhabitants, five years after the violence, reveal not merely the miserable conditions in most of them, but also the denial of all support by the state that thus perpetuates the insidious ghettoisation of a community.*

**HARSH MANDER**

**W**edged against the garbage dump of the entire city of Ahmedabad is a forlorn cluster of bedraggled and grimy single room tenements. The hapless residents can never escape the overpowering stench of sewage and refuse from the ugly high mountains of solid waste, often mixed with toxic fumes of burning plastic. In the rainy season, garbage and sewage float sluggishly around their homes. The men spend each day in hopeless search for low paid uncertain casual work, trekking long kilometres to reach the main road, and scarce savings to travel further to locations within the city, as women plan ways to feed their families with little food or money in their stores. There is no school in the colony, and many children have dropped out of the education system. Several young boys instead join their fathers at work sites, and girls their mothers in the kitchens, their slender shoulders straining bravely to share too early the burdens of their parents.

There is some unintended irony in the name given to this settlement, Citizen Nagar, because its residents are disenfranchised in so many ways. It is one of an estimated 81 colonies that came up after the 2002 carnage, for citizens uprooted from their homes by the brutal violence that engulfed the city of Ahmedabad and many other districts, and left more than 2,000 people dead including many women and small children, and over two hundred thousand

people homeless. They were displaced either by the destruction of their homes, or because they were too frightened to live there any longer. After six months in extremely poorly resourced relief camps established and run mainly by the victimised Muslim community itself (which were then coercively closed down by the state government), it is estimated that around half the internally displaced people returned to their original homes. There they braved pervasive and malevolent social and economic boycott, as they continue to strive valiantly but too often despairingly to rebuild not just their homes but also their livelihoods and social relations.

#### **Bitter Evidence**

However, it is bitter evidence of the deliberate failure of the state government to restore even a minimal sense of security and equal citizenship to its brutalised minority residents, that even almost five years after the cataclysmic storm of state enabled mass communal violence, several thousand people have still not returned to their original homes and are losing hope of this even in the future. An unknown number have migrated out of the state, and a similarly uncounted number have bought or rented homes in the sectarian security provided by the burgeoning Muslim ghettos. A third segment of these survivors of the 2002 violence who have not returned to their homes are living in

makeshift colonies that the state government refuses to acknowledge, let alone authorise and equip with basic human facilities. The reason why information about these internally displaced people is not available is because the state government has stubbornly refused to collect and share data about these survivors of the 2002 carnage, as this would entail both accountability for its unconscionable failures, and responsibility for their just and humane rehabilitation.

The attitude of wanton denial by the state government is reflected in its reply to an interim application to the Supreme Court<sup>1</sup> where the state government claimed, in an affidavit to the highest court of the land, that some people have not returned to their original homes, but only because they have better economic prospects in their new location. Their official denial became even more emphatic in their response to the commissioners of the Supreme Court in the writ petition CWP/196/2002 (popularly known as the right to food petition), where the state government claimed that "all relief camps were closed and riot affected people have returned to their homes".<sup>2</sup> That this is deliberate and comprehensive falsehood designed to mislead the Supreme Court I know because I have not only personally seen and visited several of these colonies, but I have also observed and learnt from the residents many times over the last five years about their desperate situation that persists without relief and hope. Still, in the light of the resolute denials by the state government, we felt that it would be useful to undertake a complete survey of the conditions of these colonies. It is on the findings of this study<sup>3</sup> that this paper is based. In the meanwhile, the National Commission of Minorities undertook its own sample study of these colonies based on field visits by its members with the district officials, and came out with a damning report.

The problem with undertaking a comprehensive survey was that the state government of course provided no list of these colonies, because it denied their very existence, and no such complete list was available with any organisation. An important study<sup>4</sup> by the Centre for Social Justice, Ahmedabad in collaboration with

the Monitoring Committee constituted by the NHRC 2004, surveyed a sample of 4,382 families ([www.infoindia.com](http://www.infoindia.com)) who were then still living in various semi permanent camps built by various non-government organisations, and estimated that the number of internally displaced families at that time would be not less than 10,000.

Although the state government has refused to record the number of persons who were initially internally displaced in 2002, and has consistently downplayed the numbers, ironically its own defence about adequate relief efforts made to the NHRC actually suggests that a conservative estimate of at least two lakh people internally displaced is credible. The government of Gujarat claimed in its own report to the NHRC<sup>5</sup> that over 1.6 lakh persons were given free rations in the relief camps for two months at the peak. It also claimed that cash doles were given to 41,844 persons. This shows that at least 2 lakh people were displaced, according to the government's own figures. This is bound to be an underestimate because it excludes, for instance, those displaced persons who fled to other states and have still not returned.

In our survey, conducted in October 2006, our attempt was to begin with lists of the relief colonies supplied by leading organisations that were active in setting up these organisations. The research teams were instructed to make continuous local enquiries to find those colonies that were not established by these leading organisations, and to survey all of these. They first identified 97 colonies, but after field investigations, they located 81 functioning colonies. All these 81 colonies have been included in our survey; 58 of these colonies were in urban areas, and 23 in rural areas. The colonies varied greatly in size, with 41 per cent with less than 30 homes, and 36 per cent more than 50 homes.

The total number of colonies per district that our research teams were able to identify and survey have been summarised in Table 1.

One of the most damaging findings confirmed by the study is that not a single colony was established by the state government. The attitude of the state government is best summarised by the sardonic and insulting dismissal by the chief minister Narendra Modi, when he was questioned why his government did not establish relief colonies. He is reported to have replied, "Why should I? I do not want to set up baby-producing factories", a remark that arguably reflects more contempt and

prejudice than any other made by a head of government in India about a segment of Indian citizens. The government did not even provide the land for the establishment of any colony.

### A Life of Denial

All the 81 colonies without exception were found to have been established by various Muslim organisations, ranging from conservative groups like the Jamiat Islami and Gujarat Sarvajanic, and more centrist religious organisations like Jamiat ulema Hind, to a heterogeneous range of small and local Muslim organisations, and in at least one case by funders with known proximity to the mafia. The land was mostly purchased from Muslim landowners at commercial rates, therefore it is not surprising that the locations of many of the colonies were commercially unattractive: their poor locations meant lower costs that made these viable for the organisations that purchased the land to establish the colonies. The colonies were of course invariably built in the vicinity of other Muslim settlements, because it is only among people of their own faith that the internal refugees felt secure. The survey showed that more than 90 per cent of the colonies were less than two kilometres from the nearest existing habitation.

In this paper, we have deliberately referred to these colonies as relief colonies, rather than as either relief camps or resettlement colonies. This is because despite their rudimentary public services, they have a much more permanent character than relief camps. Yet they are not colonies where the state has systematically resettled persons who were gravely affected by some of the worst communal violence that has been experienced in independent India. Therefore to call them resettlement colonies, suggesting some kind

of planned orderly resettlement supervised by a responsible state, would be misleading. Therefore we have opted for the hybrid term "relief colonies".

In only six relief colonies were we able to find instances of collaborations of the Muslim organisations with secular groups<sup>6</sup> in resourcing the establishment of these colonies. This underlines a grave abdication not just by the state, but also by international and national humanitarian organisations which were by contrast very active in relief and rehabilitation efforts in the Gujarat earthquake of 2001 and the tsunami of 2004, but chose to turn away from the suffering of the survivors of the carnage because this intervention was seen as politically risky due to open and partisan state hostility to the survivors on purely sectarian grounds of their faith.

The statutory National Commission for Minorities (NCM) in its report<sup>7</sup> based on its field visits from October 13 to 17, 2006, reflects on the dangerous consequences of this dual abdication. It records its concern:

...the state was not in the forefront of the move to provide rehabilitation to those who could not return to their homes after the riots.

It observes further:

...the state government has not been involved in constructing houses for the violence affected, thus leaving the rehabilitation process to the private organisations. If these private organisations were NGOs whose brief was to serve the riot affected that would still be appropriate. But this is not so. Some of the organisations that are active in the field are not purely philanthropic or service oriented. This space that should have been occupied by the state is now being held by bodies which have a definite agenda of their own. The implications that this has for the severity and will being of civil society as a whole are extremely serious.

**Table 1: Numbers of Colonies in Surveyed Districts**

Sr	Code No	Number of District Surveyed	Number of Colonies in Each District	Per Cent	Cumulative Per Cent
1	1	Ahmedabad City	11	13.6	13.6
2	2	Ahmedabad District	3	3.7	17.3
3	3	Anand	16	19.8	37.0
4	6	Vadodara	3	3.7	40.7
5	7	Bharuch	2	2.5	43.2
6	8	Dahod	1	1.2	44.4
7	9	Gandhinagar	1	1.2	45.7
8	10	Kheda	4	4.9	50.6
9	11	Mehsana	10	12.3	63.0
10	12	Panchmahal	6	7.4	70.4
11	13	Sabarkantha	24	29.6	100.0
		Total	81	100.0	

Our survey and my many field visits over the past years confirm that these fears are not unfounded. Indeed, researchers reported everywhere that residents expressed great anger against the organisations that had established the colonies. Some of the dissatisfaction was the outcome of failures to ensure basic services for which the state government was principally culpable, and not the organisations that came to the rescue of the survivors when none else came forward. But many residents reported that they were under

great pressure to follow, against their will, as conditions of residence in the colony, the teachings of specific sects that had taken the initiative to establish their colony, such as discouraging the viewing of television or listening to music, or enforcing the veil on working class women who did not wear it in the past. Senior members of the organisations rarely visited or reviewed the day-to-day activities of the colonies, and all powers effectively were vested in the local manager, who was quite often authoritarian and in cases sometimes

rumoured allegedly even to misbehave with single women. Residents of almost all colonies reported that they were required to pay sums of money up to Rs 25,000 in order to be allocated the house, which seems outrageous when donations were raised because they were rendered destitute by the carnage. They had to borrow money from relatives or private money-lenders at exorbitant rates of interest.

The insecurity of residents living in the colonies about their future has been aggravated because except in one colony, none

**Table 2: Number of Villages or Urban Settlements from Which Residents Live in Relief Colonies for People Affected by Mass Violence in Gujarat 2002**

Sr	Name of Colony	Situated in Village/Area	District	Number of Villages from Where People Have Come	Sr	Name of Colony	Situated in Village/Area	District	Number of Villages from Where People Have Come
1	Ekta Row House	Juhapura	Ahmedabad	7	45	Ahmed Latif Colony			
2	Imarat-e-Sharia	Juhapura	Ahmedabad	11		Extra 3	Della, Kadi	Mehshana	6
3	Siddikabad	Juhapura	Ahmedabad	13	46	I R C Colony Extra 1	Rajpur, Kadi	Mehshana	2
4	Naoda Gaon's people (5 houses)	Juhapura	Ahmedabad	1	47	B P L - Housing Colony	Mandali	Mehshana	1
5	Citizen's Colony	Shah-e-Alam	Ahmedabad	5	48	Gujarat Gruh Nigam Board Soc	Mandali	Mehshana	5
6	Maoulana Azad Nagar	Shah-e-Alam	Ahmedabad	4	49	Garib Nawaz Colony	Vijapur	Mehshana	7
7	Mehtab Raw House	Shah-e-Alam	Ahmedabad	8	50	IRC Colony	Savala, Visnagar	Mehshana	5
8	Sona Cutpice wala (Salimbhai)	Shah-e-Alam	Ahmedabad	13	51	Shani Park	Visnagar	Mehshana	1
9	Siyasatnagar	Shah-e-Alam	Ahmedabad	1	52	Bilkis Nagar, Aman park	Godhra	Panchmahal	12
10	Madni nagar	Ramol	Ahmedabad	10	53	Ekra colony	Baska, Halol	Panchmahal	13
11	Ekta nagar	Narol Rd, Vatva	Ahmedabad	16	54	Falah-e-Aam Trust	Halol	Panchmahal	13
12	Faizal Park	Nr Zia Masjid, Vatva	Ahmedabad	1	55	Haji Majid Coop Soc Extra 3	Halol	Panchmahal	22
13	Arsh Colony	Nr Zia Masjid, Vatva	Ahmedabad	13	56	Kashimabad	Kallol	Panchmahal	8
14	Al Badra park	Virangam	Ahmedabad	12	57	Anjanwa Colony	Lunawada	Panchmahal	1
15	Hina Park	Nr Ismail Nagar	Anand	10	58	Husainabad Colony			
16	I R C Colony	Nr Rahimanagar	Anand	12		Extra 33	Himmatnagar	Sabarkantha	29
17	Manejwala	Nr Rahimanagar	Anand	7	59	Kifayatnagar	Panpur,		
18	Mogri Sishwa Township	Nr Rahimanagar	Anand	19			Himmatnagar	Sabarkantha	9
19	Rahimanagar Part 1	Anand Bhalej Road	Anand	7	60	Muhajinagar	Lalpur, Himmatnagar	Sabarkantha	14
20	Rahimanagar Part 2	Anand Bhalej Road	Anand	7	61	Satnagar	Himmatnagar	Sabarkantha	1
21	Rahimanagar Part 3	Anand Bhalej Road	Anand	26	62	New Memon Colony	Panpur,		
22	Faiz-e-Abrar Nagar	Anand Bhalej Road	Anand	9			Himmatnagar	Sabarkantha	12
23	Shabbi Park extra - 7	Anand Bhalej Road	Anand	5	63	Noor nagar	Shivgarh,		
24	Jahangir bhai's Field	Hadgud	Anand	1			Himmatnagar	Sabarkantha	5
25	Navrangpura, Badapura's Chara	Bhalej	Anand	1	64	Al Fazal - Patiawala Colony	Himmatnagar	Sabarkantha	15
26	Murtuza nagar	Pipli, Boshad	Anand	2	65	Adarsh Colony	Himmatnagar	Sabarkantha	10
27	Rehmatnagar	Kanshari, Khambhat	Anand	3	66	Karnatak wala			
28	Muhajir Colony	Anklav	Anand	12		Raw House	Vadali, Eder	Sabarkantha	9
29	Al Falah Nagar	Sojitra	Anand	12	67	Patrawali Vashat	Panpur,		
30	Gulistan-e-Shat Nagar	Tarapur	Anand	15			Himmatnagar	Sabarkantha	10
31	Munshif Nagar	Chota Udaipur	Baroda	12	68	Relif Houses	Navalpur,		
32	Saeed nagar	Chota Udaipur	Baroda	7			Himmatnagar	Sabarkantha	7
33	K G N Park	Ajwa road	Baroda	27	69	Garib Nawaz Colony	Gambhipura, Eder	Sabarkantha	12
34	Relif Committee	Palej	Bharuch	13	70	Nusratnagar	Gambhipura, Eder	Sabarkantha	1
35	Relif Committee	Tankaria	Bharuch	8	71	Noor-e-Elahinagar	Surpur, Eder	Sabarkantha	3
36	Rahimabad, Kapdi	Baria	Dahod	1	72	Memon Vashat	Eder	Sabarkantha	11
37	Mohmmedi Park				73	Aman park	Vadali, Eder	Sabarkantha	10
	Relif nagar	Kalol	Gandhinagar	1	74	Gulshan park Extra 8	Vadali, Eder	Sabarkantha	53
38	Jamiyat Nagar	Balol, Mahuda	Kheda	1	75	Samad nagar	Megrj	Sabarkantha	4
39	Rehmatnagar	Ghodashar	Kheda	1	76	Shaiful Hind nagar	Modasha	Sabarkantha	15
40	Abubakar Raw House	Nadiad	Kheda	12	77	Aliens Nagar	Modasha	Sabarkantha	12
41	Imdad Nagar	Nadiad	Kheda	15	78	Rashidabad	Modasha	Sabarkantha	11
42	Nasirabad			8	79	Mujahid-e-Millatnagar	Modasha	Sabarkantha	13
43	Shalimar Soc Part 2	Mehshana	Mehshana	1	80	Sahara Colony	Modasha	Sabarkantha	4
44	Ettihad Colony	Agol, Kadi	Mehshana	3	81	Falah-e-Aam Trust	Modasha	Sabarkantha	6

Note: There are many common villages/area from where people have gone to different colonies.

of the residents have been given title deeds or even long-term leases to their allotted homes. This means that they can be evicted at will by managers of these colonies. This indeed does happen, especially in the case of single women (as in Ekta Nagar in Ahmedabad where four widows were evicted arbitrarily because the managers and some male residents alleged that they were engaging in sex work in order to survive. It was only a dogged battle by the widows and support by external secular organisations that enabled their belated restoration four traumatic months later.)

There are no community spaces for gathering together for religious or social events in 46 colonies; 33 have mosques, four have community centres, and in others there are a few schools. Some irreverent residents said that they wished the organisations had built more modest sized mosques, and spent the money instead on larger rooms or schools for their colonies. In around half the homes, the built up area (mostly a single room and kitchenette) is less than 200 square feet, and the rest are only slightly larger. But a positive feature is that the large majority of the tenements are of concrete, rather than mud and thatch.

The survey confirmed an acute denial of public services in all colonies. In 65 per cent colonies, residents have to depend on private sources for drinking water. This often means private commercial arrangements, in which drinking water is purchased from a farmer's private borewells or dugwells, and residents are burdened with a monthly private cess to be paid to the farmer. The water is often unsuitable for drinking, and it is common in the colonies for women to walk long distances with pots on their heads to purchase potable drinking water at Rs 2 or Rs 3 a vessel. Only 13 per cent colonies have street lighting, and even some of these are lit with electricity illegally drawn from a private meter, and similarly paid by another monthly collection. Almost no colony has drainage facilities, and often the land is low-lying, causing intense flooding and clogging of stagnant water in the rainy seasons. There are 54 colonies that have some rudimentary form of sewerage, but women residents in many colonies confided their shame in having to use the open fields around the colony. Besides, 85 per cent of approach roads and 95 per cent of the internal roads are kutchra (dust tracks).

The National Commission on Minorities also noted with great disquiet the appalling

conditions of public services in these colonies. They record in their report,

During the tour of the camps, members observed that the residents were denied the most rudimentary civic amenities. They are deprived of potable water, sanitary facilities, street lights, schools and primary healthcare centres. The poor condition of the approach roads was repeatedly highlighted, and the team heard reports of how in the absence of such roads, even adolescent boys were drowned in the water that had collected near the village after the monsoon when the roads are submerged under several feet of water. The accumulated garbage, the slush and the puddles of water are a source of debilitating diseases, including some infectious ones.

The commission also observed the despair of the residents in most of these colonies as they sought to find the resources and earnings to ensure bare daily survival. It reports,

The residents were frustrated by their inability to earn their own livelihood and to support themselves in the manner to which they were accustomed. Before the violence, many of these people were small self-employed traders, artisans or industrialists. The violence put an end to their means of livelihood since their old clients were unwilling to use their services. The impression the team received is that very few of them were employed in service. In the new environment, they are unable to resume their earlier professions and because of this they find it difficult to survive.

This bleak situation of the daily uphill challenges that residents of relief colonies faced in finding work was confirmed by researchers in all relief colonies, without exception. The first reason for this comprehensive collapse of livelihoods is the widespread socio-economic boycott that persists in many villages and urban settlements, informally enforced but rarely challenged, under which people of the majority community continue, in most parts of the state that reeled under the violence of 2002, to refuse to trade or employ Muslims. They do not employ them as factory hands or even as agricultural workers, except in peak agricultural seasons when sufficient workers from other communities are not available, and that too at low wages. They will not buy from their shops or eateries; they are known to even avoid using jeep taxis and rickshaws owned and operated by Muslims.

The collapse of livelihoods in relief colonies is also because residents of several villages have been bundled into

single tenements (Table 2). There are colonies with people from more than 20, and in one case more than 50 villages. It is not surprising that residents, who had earlier found more regular livelihoods across dispersed settlements, would find themselves competing for very few jobs now that they were cramped together into single colonies. In many colonies, we found that the residents still travel long distances in order to earn their livelihoods, mostly at their old sites of residence. They work there during the days, but travel to the security of relief colonies at nights, spending long hours and scarce resources for travel often in dangerously overcrowded jeep taxis and tempos. This is an even greater challenge for casual daily wage workers, who may find no employment even after investing a third or more of what they hoped to earn by travelling to the work site on any particular day. It also rules out low paid work by women, such as offering their services as domestic help, because they would spend more on travel than they would earn.

### State Apathy

All these problems have been further aggravated by the refusal of the state government to effectively assist survivors of the 2002 violence which resulted in the large-scale destruction of their homes and livelihoods, to rebuild their shelters and earning assets. Both the numbers as well as the amounts of assistance are strikingly meagre. The state government officially reports<sup>8</sup> that it has given Rs 4.40 crore to 10,564 persons for loss of earning assets in urban areas and Rs 4.73 crore to 6,631 persons in rural areas (averaging as little as Rs 4,165 and Rs 7,133 respectively per capita). The average assistance to 2,149 persons to rebuild small businesses in urban areas is Rs 6,235, and in rural area Rs 6,639. The per capita quantum of support for industrial units and hotels is slightly higher at Rs 24,436 in urban areas, and Rs 21,284 in rural areas. Even this assistance is under existing schemes, and the major component is repayable loans. The average assistance per household for rebuilding homes is equally low: Rs 6,808 average for 18,037 urban families, and Rs 15,905 for 11,204 rural families. It is stressed that these figures are based on the state government's own admissions.

Despite the desperate persisting situation of livelihoods and shelters of affected persons (both those in relief colonies and

also those who have returned to their original villages), the state government has returned Rs 19.10 crore unutilised from the paltry grant of Rs 150 crore originally made by the central government, claiming that there are no unfinished tasks of rehabilitation, wantonly ignoring the intense denials and fragile survival of affected persons as confirmed by our survey nearly five years later. The NCM also notes with regret,

During interaction with the state government we raised the question of the sum Rs 19.10 crore that had been returned by the government of Gujarat to the government of India since it had not been utilised. Government officials explained that there were no further demands under the particular heads under which these grants had been advanced by the centre. As a result auditors have pointed out to the ministries concerned in the government of India that the money should be returned if it could not be utilised for the purpose for which it was intended. The NCM team pointed out that if more people were covered under the relevant schemes it would be possible to utilise the entire amount allotted. In the course of our visits to the camps we found several people who are in need of funds under different schemes. If the state government was able to identify such people and extend the benefits of the scheme to them they would be able to utilise the entire money allotted.

The residents are also highly underserved by ongoing food and livelihood schemes of the state government. Our survey reveals that school children are served mid-day meals in only three colonies of the 81 that came up after the 2002 violence. Only four of these have ICDS anganwadis, and in only three do children and infants receive supplementary nutrition.

There are PDS ration shops in only three colonies, and the small number of BPL and Antyodaya card holders prefer to travel considerable distances to their original villages rather than apply for a transfer for fear that these cards would be converted to above poverty line (APL). Of the 4,510 families in the relief colonies surveyed, only 615 had BPL cards, and 34 Antyodaya cards. This ignores the extreme obvious poverty of families dispossessed by the 2002 carnage. As noted by the National Commission on Minorities,

NCM members examined the homes in several rehabilitation colonies, and found evidence of abject poverty. With some exceptions, the houses contained little

except for bedding and kitchen utensils. Despite these signs of poverty, the NCM found that many residents did not have ration cards. Even when ration cards were issued most of the residents were given above the poverty line (APL) ration cards, instead of below the poverty line (BPL) ration cards. This makes a big difference because BPL ration cardholders are entitled to get foodgrains, cereals, kerosene and other basic consumer items at subsidised rates. Indeed in several camps especially in rural areas the women without exception had just one major demand: they wanted BPL ration cards to be issued to them.

The numbers that received old age pensions were even smaller (14), whereas only 76 widows received pensions. Even on a casual survey, researchers found a large number of eligible destitute people who were not covered.

### Displacement and Its Impact

The impact of internal displacement has been borne heavily by children who in many colonies have had to drop out of school, because there are no schools in most colonies. There remains a climate of insecurity in travelling to schools outside the colonies, and many young children have dropped out of school to work and help their families to survive. (Around 24 per cent children in the 5 to 12 age group were found to be out of school.) Of the 81 colonies, only two have government schools. There are five private schools, mostly set up by Muslim trusts or entrepreneurs, but only two of these are recognised by government. Besides this, children receive religious training in mosques in four colonies. This has also deepened the divide between the children of the two communities: non-Muslim children study with Muslim children in schools in only two colonies, although there is a better mix of communities in the teachers. This complete communal divide is in fact a realisation of the aspirations of those organisations that engineered the communal divide, because not only in these colonies but also in large numbers of ghettos where tens of thousands of families internally displaced by the violence of 2002 have moved, and in the villages from where they have migrated, children will grow up with no contact with children of the "other" community, and therefore will be far more vulnerable to accept uncritically communal prejudice and propaganda.

In summary, the state government stubbornly refuses to even acknowledge the existence of these relief colonies and of minority populations that continue to be internally displaced in a persisting climate of hate, fear and boycott. It has completely abdicated its duties to plan their systematic resettlement in the manner that it achieved quite admirably for the survivors of the earthquake of 2002. These wanton denials and refusals are in conformity with shameful official policy that can only be described as open state hostility to a segment of citizens only because they worship a "different" god. The failures of the central government, Supreme Court and high court, the National Human Rights Commission, international humanitarian organisations and most civil society formations to fight or reverse this open discrimination by the Gujarat state government, amount to a perilous betrayal of the promise of our Constitution of equal rights and protection for all citizens, regardless of their religious faith, and renders all these institutions of the Indian state also gravely culpable.<sup>EW</sup>

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### Notes

- 1 Rejoinder to the reply filed by the state of Gujarat by way of affidavit dated January 4, 2006 (para 11) in reply to the interim application filed by Harsh Mander in CRL.MP no 9236/2005, CRL.MP no 3741 & 3742/2004 and Writ petition (CRL) no 109/2003 in the matter of National Human Rights Commission versus the state of Gujarat and others.
- 2 Letter to Harsh Mander, special commissioner of the Supreme Court from SK Nanda, principal secretary, government of Gujarat, dated November 21, 2002 (mimeo).
- 3 The survey was financially supported by Oxfam India, and undertaken by the community justice workers (termed nyaya pathiks), who work with a people's campaign for legal justice and reconciliation, Nyaygrah, implemented by Aman Biradari, Lawyers' Collective and Yusuf Meheralli Centre.
- 4 A Status Report on Rehabilitation of Victims of Communal Violence in Gujarat in Year 2002: A Study Based on the UN Guiding Principles of Internally Displaced. Prepared by Centre for Social Justice, Ahmedabad with the Guidance of Monitoring Committee Constituted by NHRC, 2004.
- 5 This report should be but is not in the public domain. But I have seen it informally, and have applied under the right to information law for a full set of documents, and this will be made available in the public domain.
- 6 Group such as Jan Vikas and Action Aid India.
- 7 Mimeo.
- 8 In its report to the Commissioners of the Supreme Court in the case CWP/196/2002 dated November 21, 2006 (mimeo).