

**A Survey of
Relief Colonies for People
Affected by Mass Violence in Gujarat 2002
-A Report**

**SURVIVING STATE HOSTILITY
AND
DENIAL**

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Kiran Nanavati**

Surviving State Hostility and Denial

A Survey of Relief Colonies for People Affected by Mass
Violence in Gujarat 2002 –A Report

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**Darkness can never drive out darkness,
only light can do that.**

Martin Luther King Jr.

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INTRODUCTION

“The Gujarat Experiment is a success.” Prophetic words by Ashok Singhal, who went on to assert that this “success” would be replicated all over India. For them, it was an experiment towards inciting communalism, which was successful. And for us, it was an experiment in securing legal justice that was lost in the labyrinth of improper investigation. And it was successful in that we got the 2000 odd cases reopened as well as secure conviction in some cases.

Legal justice for the victims of 2002 is the core of our work but we are also committed to working towards building trust and peace between the two communities. The fundamental philosophy underpinning the campaign is that justice is a prerequisite to peace and work of building trust between the two communities has to be on terms which are fair and grounded on values of equality, respect and care for the other. We therefore are against compromises that have been reached under coercive and unjust circumstances. We have heard of Muslim citizens being denied the right to legal justice as a precondition to returning to their village homes. We are resolutely against any reconciliation based on such unjust foundations.

After the 2002 carnage estimated 81 colonies came up for citizens uprooted from their homes by the brutal violence that engulfed the city of Ahmedabad and many other districts, and left more than two thousand 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.

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 of 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.

In our endeavour of seeking justice, we felt the lack of basic amenities be given top priority and bring it to the notice of competent authorities as well as various sections of society. A large number of 2002 victims have been pushed out of main stream society and are now living in Relief Colonies constructed for them mainly by various Muslim committees.

We undertook the task to study availability of food security and provisioning of basic amenities to resident families living here since almost five years and they had indubitably seen better days in the past. In this report we not only record the findings of recently concluded study, but also bring afore our experiences during prior visits.

With valuable support by Oxfam (India) Trust, this survey in October 2006 was aimed at covering all the Relief Colonies in Gujarat. We focused on availability of basic amenities like water and drainage, education, food security and implementations of various government schemes. Meetings and discussions with scholars, academicians, grassroots

activists and representatives of noted NGOs from Gujarat formed paradigm on basic study design. Their support continued in structuring the study design as well as interview schedule for the study.

A team of 23 investigators from Nyayagrah accomplished the field work. They were Hanif-ur-rehman, Kishore Chauhan, Sharif Malek, Nazir Pathan, Imran Pathan, Afroz Shaikh, Nasir Saiyed, Altaf Shaikh, Satish Gaikunde, Mushtaque Ali, Bhanukumar Parmar, Wahida Diwan, Khalida Ansari, Khalida Shaikh, Jayanti Parmar, Iqbal Memon, Umar Mansuri, Jaswant Rathor, Salim Patel, Chirag Pipalia, Prakash Waghela, Maqsuda Shaikh and Sulekha Sharma.

Under able guidance and continual advice by Prof. Ghanshyam Shah a team comprising of Ms. Prita Jha, Mr. Ishaq Arab, Ms. Johanna Lokhande and Mr. Usman Sheikh proved effective link between experts and investigators. Valuable contributions by Ms. Indira Hirway and Mr. Kumran helped in many ways. Mr. Avinash Kumar and Ms. Shruti Upadhyaya from Oxfam GB actively participated at all stages and also heightened morale of investigators by interacting with them in debriefs meetings.

It is hoped that these findings bring much needed solace of at least basic needs to habitants of Relief Colonies in Gujarat.

December 19, 2006

Harsh Mander
Kiran Nanavati

Oxfam (India) Trust had hosted a meeting of various academicians and NGOs in October 2006. Discussions pursued in this meeting were point of departure for this study. A broad study design was then circulated to all and interview schedule prepared after incorporating valuable suggestions received.

Team of Nyayagrah was already busy in time-framing the field work. Main aspects were, to list out all relief colonies, devise a snow-balling method for colonies not in the list, form teams each of two Nyaysathi / Nyaypathiks / District Coordinators, who were entrusted task as field investigators, in a way that at least one of them is known in the colonies they survey and to choke out suggested routes they would follow.

First session of the one day-long investigators' training was to explain in detail the interview schedule, which was in its final draft format. Prof. Ghanshyam Shah explained the details and few changes were incorporated based on the experiences and feedback of investigators. This was followed by planning field work that commenced next day.

Survey commenced next day and all investigators went to colonies within Ahmedabad. A first debrief meeting was in the evening wherein challenges they faced was discussed and resolved. Next day the focus was on Anand district, so on and so forth.

Data to be collected focused entire colony and not specific to individuals. So, method of focus group discussion was adopted. Among others this involved women, elderly men, management personnel etc. At several places, discussions took place with more than one group.

Information was sought from each colony on existence of any other colony. A final debrief meeting was held after

completing survey of all colonies. A hectic discussion during these debrief meetings formed a resilient qualitative database.

Challenges, Solutions and Elucidations

How to define a Relief Colony? Certain victims had lost their houses and were given new houses in their neighbourhood; can we call this a Relief Colony? This was the first query. So, we decided to term Relief Colony as the one in which residents have come from entirely a different area within village/city or from outside of it.

It was not difficult to learn about facilities that can be noticed and discussed like schools, mid-day meals, water resource, roads etc. These issues impinge on almost every habitants of the colony. The task complicated when we wanted information on numbers of beneficiaries under various schemes like BPL, *Antyodaya* beneficiaries, pension to widows etc. Respondents could readily volunteer about their own plight, but information on those not present was not so easy to avail.

Colony residents get apprehensive to unknown person coming for any survey. They refrain from opening up to a Hindu, unless either they are well acquainted by the person or is accompanied by a Muslim.

Total 81 relief colonies were surveyed and quantitative data obtained are detailed here.

Table-1: Nature of Colonies' Location

Sr.	Location Type	No. of Colonies in each type	Percent
1	Urban	58	71.6
2	Rural	23	28.4
Total		81	100.0

58 colonies comprising 71.6 percent of the total have come up in the urban areas. Despite being urbanites, the habitants are deprived of basic amenities, as we will see in later tables. It also demonstrates that population of urban areas were more affected by the violence.

Table-2: Numbers of colonies in each surveyed taluka

Sr.	Names of Taluka Surveyed	No. of Colonies in each taluka	Percent
1	Ahmedabad City	11	13.6
2	Daskroi	2	2.5
3	Viramgam	1	1.2
4	Anand City	10	12.3
5	Anand Taluka	1	1.2
6	Borsad	1	1.2
7	Khambhat	1	1.2
8	Sojitra	2	2.5
9	Tarapur	1	1.2
10	Vadodara City	1	1.2
11	Chhota Udepur	2	2.5
12	Bharuch	1	1.2
13	Baria	1	1.2
14	Kalol	1	1.2
15	Kadi	1	1.2

16	Mahudha	1	1.2
17	Mahemdabad	1	1.2
18	Nadiad	2	2.5
19	Mehsana	3	3.7
20	Vijapur	1	1.2
21	Visnagar	2	2.5
22	Godhra	1	1.2
23	Halol	3	3.7
24	Kallol	1	1.2
25	Lunawada	1	1.2
26	Himmatnagar	11	13.6
27	Idar	4	4.9
28	Modasa	6	7.4
29	Tankaria	4	4.9
30	Vadali	2	2.5
31	Meghraj	1	1.2
Total		81	100.0

Families affected by mass violence fled their homes and sought shelter in nearby areas for settling down. Many organisations helped them by setting up relief colonies, which still exist in 31 talukas across the state. Extent of repugnance in urban region gets clearer by as many as 11 colonies in Ahmedabad city, 10 in Anand city and 11 in Himmatnagar taluka, aggregating to 39.5 percent of the total colonies.

Table-3: Numbers of colonies in each surveyed districts

Sr.	No. of district surveyed	No.of colonies in each district	Percent
1	Ahmedabad City	11	13.6
2	Ahmedabad District	3	3.7
3	Anand	16	19.8
4	Vadodara	3	3.7
5	Bharuch	2	2.5
6	Dahod	1	1.2

7	Gandhinagar	1	1.2
8	Kheda	4	4.9
9	Mehsana	10	12.3
10	Panchmahal	6	7.4
11	Sabarkantha	24	29.6
Total		81	100.0

81 relief colonies are seen in 11 districts across the state. Sufferings of Muslims in Sabarkantha, Anand and Ahmedabad districts is evident as section of them are still living in 24, 16 and 14 (i.e. total 66.7 percent) colonies respectively.

Table-4: Numbers and Types of Houses in the colonies

Sr.	Variety of House	No. of House in each variety	Percent
1	<200 sq.ft. Pucca	2417	43.4
2	<200 sq.ft. Kacha-pucca	382	6.9
3	<200 sq.ft. Kacha	9	0.2
4	>200 sq.ft. Pucca	2654	47.6
5	>200 sq.ft. Kacha-pucca	112	2.0
6	>200 sq.ft. Kachcha	0	-
Total		5574	100.0

Various organisations, most of them having Muslim religious background, came to rescue of violence affected people who had either lost their houses or had no options of returning back to their places of origin. One-room, or at the most one room and kitchen space, houses were constructed to re-settle them.

Huge amount of money has been spent in constructions by NGOs as 5062, i.e. 91 percent out of total 5574 houses in these colonies are pucca,. 2417 of them are smaller then 200 sq.ft. in area and 2654 are larger than that.

Out of 9 kacha houses smaller than 200 sq.ft., seven are in Bhalej village in Anand taluka. 7 occupant families had fled from nearby Chalali village and one Muslim farmer has sheltered them in small huts in his farm.

Table-5: Types of community places

Sr.	Types of community places	No.of colonies	Percent
1	Mosque	25	30.9
2	School	1	1.2
3	Mosque and school	5	6.2
4	Mosque, school, and community center	3	3.7
5	Mosque and community center	1	1.2
6	Nothing	46	56.8
Total		81	100.0

46 colonies, i.e. 56.8 percent have no community places. However, importance of community place shrink, as most to the colonies have population strength of less than 50 families (as detailed in table later in this section).

Rearranging this table gives an idea of colonies with each of these facilities:

Table-5.1: Colonies having community places

Sr.	Community place	No.of colonies with this facility
1	Mosque	34
2	School	9
3	Community center	4
4	Nothing	46

Only 9 colonies out of 81 have facility of formal education. Thus, parents wanting to educate their children face hardship by sending them to school that are not in vicinity. Also, religious ghettoisation coupled with most of the help coming from religious-based institutions gets evident with 34 colonies having mosques.

Table-6: Availability of basic amenities

Sr.	Types of Amenities	No.of colonies	Percent
1	Streetlight	11	13.6
2	Sewage	42	51.9
3	Streetlight and sewage	3	3.7
4	Nothing	20	24.7
5	No Information	5	6.2
Total		81	100.0

People living in 20 colonies have neither street lights nor sewage disposal facilities. Condition of basic amenities in each colony can be seen when table is re-arranged as under:

Table-6.1: Colonies having basic amenities

Sr.	Type of amenity	No.of colonies with this amenity
1	Streetlight	15
2	Sewage	45
3	Nothing	20

15 colonies have streetlights and 45 have sewage disposal system. In other words State Government has not provided streetlights to 66 colonies and not arranged for sewage disposal system for 36 colonies.

People in colonies with no streetlights have arduous task during nights while leaving or arriving home. Problem is more severe in case of health related emergencies at night.

State Government provisioning sewage pipeline is a far cry. Thus, several colonies have constructed their own sewage disposal system, which is nothing but a sewage collection pit that is not large enough. Their evacuation is costly and habitants cannot afford to do it in required frequency, making the neighbourhood insalubrious.

Table-7: Type of Drinking Water Resource

Sr.	Water Resource	No.of colonies	Percent
1	Government	26	32.1
2	Private	52	64.2
3	No Information	3	3.7
Total		81	100.0

People living in 52 colonies are dependant on private water resources due to absence of Government water supply, which reaches only 26 colonies. Almost all of these 64.2 percent colony residents who depend on private water supply have to shell out huge monthly payments for accessing water, a basic requirement of life.

Table-8: Nature of Drinking Water Resource

Sr.	Nature of Water Resource	No.of colonies	Percent
1	Well	7	8.6
2	River	1	1.2
3	Hand pump	9	11.1
4	Bore well	36	44.4
5	Tap	11	13.6
6	Combinations of above	14	17.3
7	No Information	3	3.7
Total		81	100.0

Most of the water resources being private, it comes from either well or bore well. However, the water from these resources can hardly be called potable due to its extreme hardness and chemically polluted especially in those colonies nearby industrial areas.

Table-9: Approach Road to Colony

Sr.	Type of Road	No.of colonies	Percent
1	Kachcha	69	85.2
2	Kachcha-Pucca	5	6.2
3	Pucca	7	8.6
Total		81	100.0

Most of the colonies were erected on fallow land and had no significance of its accessibility at that time. As the time elapsed from months to years, the kachcha access roads in 85.2 percent of colonies have been making life difficult to commute during monsoon. This coupled with absence of streetlights makes things grueling.

Two children of Rashidabad Colony, Sabarkantha district, drowned in last monsoon while going to school.

Table-10: Roads within the Colony

Sr.	Type of Road	No.of colonies	Percent
1	Kachcha	77	95.1
2	Kachcha-Pucca	1	1.2
3	Pucca	2	2.5
4	No Information	1	1.2
Total		81	100.0

Only 2 colonies have been able to make pucca roads within. 77 are having kachcha roads. Life in colonies is nauseous with no roads and waste water flowing in the middle of the road-space, and yet old and sick people rest on cots amidst this. This is more saddening because they have seen better days and they are here with no fault of theirs.

Table-11: Distance of Drinking Water Resource from the Colony

Sr.	Distance of Water Resource	No.of colonies	Percent
1	Less than or equal to ¼ Km	59	72.8
2	More than ¼ Km, but less than or =½ Km	12	14.8
3	More than ½ Km, but less than or =¾ Km	2	2.5
4	More than ¾ Km, but less than or =1.5 Kms	8	9.9
Total		81	100.0

This table reflects respondents' reply to our query for distance of water resource. But, water is not drinkable in most cases, including those in 59 colonies having resource very nearby.

Table-12: Distance of Nearest Bus-stand from the Colony

Sr.	Distance of Bus-stand	No.of colonies	Percent
1	Less than or equal to 1 Km	32	39.5
2	1 to 2 Kms	25	30.9
3	2 to 3 Kms	19	23.5
4	3 to 6 Kms	5	6.1
Total		81	100.0

Table-13: Distance of Nearest Railway Station from the Colony

Sr.	Distance of Village/Town	No.of colonies	Percent
1	Less than or equal to 1 Km	7	8.6
2	1 to 2 Kms	12	14.8
3	2 to 3 Kms	16	19.8
4	3 to 7 Kms	27	33.3
5	7 to 15 Kms	14	17.3
6	15 to 43 Kms	5	6.2
Total		81	100.0

Most of the colonies are urban settlement or if rural, they are set-up outside of the village. Thus, habitants of most of the colonies have access to outstation buses or trains for commuting.

Table-14: Distance of Nearest Human Habitation from the Colony

Sr.	Distance of Village/Town	No.of colonies	Percent
1	Less than or equal to 1 Km	69	85.2
2	1 to 2 Kms	7	8.6
3	2 to 3 Kms	2	2.5
4	3 to 7 Kms	3	3.7
Total		81	100.0

Living condition in a colony will become bearable if there is a pleasant habitation nearby. 69 colonies have human habitation nearby and most of them are not in very good condition. Nearness of human habitation is understandable because most of the colonies are situated in urban region. But, not much is positive for people of colonies because of paltry condition of these neighbourhoods.

Table-15: Numbers of Families living in Relief Colonies

Sr.	Numbers of Families	No.of colonies	Percent
1	Up to 15	14	17.3
2	16 to 30	22	27.2
3	31 to 50	15	18.5
4	51 to 100	16	19.8
5	101 to 150	8	9.9
6	151 to 210	6	7.4
Total Families =4545		81	100.0

This table gives an idea of family strength in colonies. 14 colonies have as less as up to 15 families, about 15 colonies have 31-50 families and 51-100 families and there are 6 huge colonies having 151-210 families residing in it.

Final analysis shows that 4545 families are living in 81 relief colonies having 5574 houses. During the period of our field work we found many unoccupied houses and upon inquiring into the reasons thereof we learnt that many residents shift for a short duration to region of their livelihood, which is seasonal. They return after the season, having made colony house as their permanent home.

In a situation when State Government has completely neglected habitants of these colonies, it was heartening to learn about various affairs of several colonies being managed by the organisation that instituted it and have retained couple of houses for using them as office, storage etc. These aspects accounted for the difference in the numbers of houses and families occupying them.

Table-16: Availability of Educational Institute

Sr.	Nature of Education Institutes	No.of colonies	Percent
1	Government School	1	1.2
2	Government School and Madressa	3	3.7
3	Private School	3	3.7
4	Private School and Madressa	2	2.5
5	Religious/Madressa	4	4.9
6	None	68	84.0
Total		81	100.0

68 colonies, 84 percent, do not have easy access to any type of education. Reorganising the statistics for understanding availability of educational system in colonies, we get following table:

Table-16.1: Type of Educational Institute

Sr.	Educational Institute	No.of colonies with this facility
1	Government primary school	4
2	Private primary school	5
3	Madressa	9
4	None	68

Situation is pathetic when it comes to education. It takes the back seat when survival is at stake. Even Muslim NGOs that constructed most of these colonies have not established Madrassa, a source of religious preaching, as only 9 colonies have it.

There are only 4 government schools and 5 private ones to impart the mainstream formal education. 88.9 percent colonies have no such facility. This creates hardship for children in 72 colonies for getting even primary education.

Table-17: Status of Primary School

Sr.	Is School Govt Recognised?	No.of colonies	Percent
1	Yes	5	6.2
2	No	4	4.9
3	Not Applicable	72	88.9
Total		81	100.0

Only one out of the 5 private schools is government recognized. Another such private school is a very hi-fi English medium school, having only ornamental value for colony habitants. This colony happened to get constructed in its vicinity.

One school in a colony of Sabarkantha district becomes cynosure in limbo. We have visited this colony and found a government school building along with privately constructed school. Principal is a Muslim lady and there are Hindus as well as Dalit teachers who fully support the cause of educating children, without any bias.

Table-18: Numbers of Standards taught in the School (Primary School up to std.7)

Sr.	Nos of Standards (maximum up to 7th)	No.of colonies	Percent
1	3 standards	3	3.7
2	4 standards	2	2.5
3	More than 5 and up to 7	4	4.9
4	Not Applicable	72	88.9
Total		81	100.0

Only four colonies can boast of somewhat appropriate schooling for their children being taught more than five standards.

Table-19: Numbers of Classrooms in the School

Sr.	Nos of Classrooms	No.of colonies	Percent
1	One room	1	1.2
2	Two rooms	1	1.2
3	Three rooms	2	2.5
4	More than four rooms	4	4.9
5	No rooms	1	1.2
6	Not Applicable	72	88.9
Total		81	100.0

There is one school having no rooms. This is government recognized school in Vadali, Sabarkantha district. It does not have school building and classes held in open ground is more out of compulsion than for love of nature.

Table-20: Numbers of Teachers in the School

Sr.	Numbers of Teachers	No.of colonies	Percent
1	One and two teachers	2	2.4
2	Three and four teachers	4	5.0
3	Six to eight teachers	3	3.6
4	Not Applicable	72	88.9
Total		81	100.0

Table-21: Community of Teachers of the School

Sr.	Community of Teachers	No.of colonies	Percent
1	Muslim	2	2.5
2	High-caste Hindus	2	2.5
3	Muslim and High-caste Hindus	4	4.9
4	Muslim, High-Caste Hindu and Dalit	1	1.2
5	Not Applicable	72	88.9
Total		81	100.0

2 out of 9 schools have only Muslim teachers, whereas there are only High-Caste Hindu teachers in 2 schools. This is heartening that 4 colony schools have teachers hailing from Muslim, Hindu and Dalit community.

Table-22: Community of Students Studying in the School

Sr.	Community of Students	No.of colonies	Percent
1	Muslim	7	8.6
2	Muslim and Dalits	1	1.2
3	Muslim, High-Caste Hindu and Other	1	1.2
4	Not Applicable	72	88.9
Total		81	100.0

Students limited to Muslim community study in 7 out of 9 schools. School in a colony at Chhota Udepur, Vadodara district, is English medium private school and children from various communities who can afford the costly fee structure study here. Children of colonies attend a school that is outside of the colony. A colony near Modasa, Sabarkantha district, has a Dalit habitation nearby and few of their children study in this school.

Table-23: Provision of Mid-day Meal to Students in the School

Sr.	Community of Students	No.of colonies	Percent
1	Mid-day meal served is freshly cooked	4	4.9
2	Mid-day meal is not served	4	4.9
3	No Information	1	1.2
4	Not Applicable	72	88.9
Total		81	100.0

Provision of mid-day meal to students stand almost at 50-50. Mid-day meal is provided by 4 schools and is freshly cooked. Other four schools do not serve mid-day meal to students.

Table-24: Educational status of Children in 5-12 yrs age-group

Sr.	Educational status	Total Children	Percent
1	Children studying in colonies school	1,393	23.0
2	Children studying in school o/s colony	3,037	50.2
3	Children not attending any school	1,619	26.8
Total		6,049	100.0

This table sums up the status of children's education. 50.2 percent of them, total 3037 children thrive to acquire education and go outside of their colonies to attend the school. Only 1393 children, the least percentage of the total 6049, have the opportunity to study within their colony.

Table-25: Distance of School Students Attend

Sr.	Distance of School	No.of colonies	Percent
1	Less than or equal to 2 Kms	44	54.3
2	More than 2 Kms	36	44.4
3	No information	1	1.2
Total		81	100.0

Children from 36 colonies travel more than 2 kilometers to and fro daily for getting formal education.

Table-26: Provision of ICDS (*Anganwadi*) in the colony

Sr.	Presence of ICDS	No.of colonies	Percent
1	Yes	5	6.2
2	No	76	93.8
Total		81	100.0

There are *anganwadis* in only 5 colonies. 76 colonies do not have this facility.

Table-27: Supplementary Nutrition by Existing ICDS to Children below 5 years

Sr.	Supplementary Nutrition to Children	No.of colonies	Percent
1	Yes	4	4.9
2	No	2	2.5
3	Not Applicable	75	92.6
Total		81	100.0

Supplementary nutrition to children is not provided by 2 *anganwadis* out of 5. Colony at Nandasan, Mehsana district does not have *anganwadi*, but its children attend *anganwadi* in neighbourhood and are served supplementary nutrition there.

Table-28: Supplementary Nutrition by Existing ICDS to Pregnant and Lactating Mothers

Sr.	Supplementary Nutrition to pregnant & lactating mothers	No.of colonies	Percent
1	Yes	4	4.9
2	No	4	4.9
3	Not Applicable	73	90.1
Total		81	100.0

4 out of 5 ICDS do not serve supplementary nutrition to pregnant and lactating mothers. In 3 colonies they get it from ICDS present in neighbourhood.

Table-29: Facility of Public Distribution System in the Colony

Sr.	Presence of PDS shop in colony	No.of colonies	Percent
1	Yes	3	3.7
2	No	76	93.8
4	No Information	2	2.5
Total		81	100.0

Residents of only 3 colonies have access to Public Distribution System. Those in 76 colonies do not have this facility.

Table-30: Distance of the Nearest Public Distribution System outlet from the Colony

Sr.	Distance of nearest PDS shop	No.of colonies	Percent
1	1 to 2 Kms	42	51.9
2	3 to 10 Kms	30	37.0
3	15 to 25 Kms	6	7.4
4	No Information	3	3.7
Total		81	100.0

We then asked them about the distance of the nearest PDS shop, and the reply was encouraging enough with 51.9 percent, i.e. 42 colonies have the access of PDS shop within 2 kilometers. But, information that followed dispirited us

because residents of colonies do not have their cards registered in these PDS shops, and one can not avail rations at subsidised rates from a shop wherein their names are not registered.

Several habitants had applied for shop transfer and submitted their BPL cards for appropriate attestations. Their cards were returned duly transferred but were converted to APL category.

Thus, they prefer to travel to PDS shop of their respective places of origin, as their cards are registered there. This is not economically viable option for many when the cost of travel gets added to that of ration bought. There are also cases of denial to sell rations; residents of Navranpura in Anand district when approached PDS shop dealer, hailing from majority community were denied ration against their BPL cards under a ruse that they no more belong to this village.

Table-31: Status of Deprived Persons

Sr.	Deprived Section Living in Colony	Total Beneficiaries
1	Eligible for BPL Cards	725
2	Antyodaya Cards to poorest of poor	34
3	Antyodaya Cards to widows-headed family	51
4	Pension to old people with no support	14
5	Pension to widows with no support	76
6	Pension to Handicaps	17

Out of 4545 total habitants in relief colonies, only 725 are recognised as those living below poverty line. Fate is equally dismal for poorest of poor out of them, widows, old people and handicaps.

When people of a colony approached local mamlatdar with a request to issue them *Antyodaya* cards, mamlatdar told them that such schemes are not meant for Muslims.

Table-32: Status of Grant Beneficiaries

Sr.	Deprived Section Living in Colony	Families received grant	Families not received grant
1	NFBS Grant: for those who lost their earning members in age group of 18-64 DURING 2002 carnage	25	51
2	Other Grant: For families who lost their earning members in age group of 18-64 after settling in colony	-	44

A family who lost their earning member in violence is eligible for grant under National Family Benefits Scheme. There are 25 families who received this grant under NFBS, but other 51 families have not yet received the same.

Similarly, families who lose their earning member are eligible for a grant and there are 44 such families who lost their earning member after they settled in the colony. However, they have not received any grant under this scheme.

Table-33: Public Health Sub-centre in Colony

Sr.	Presence of Health-Care Center	No.of colonies	Percent
1	Yes	0	0.0
2	No	81	100.0
Total		81	100.0

Not a single colony has health-care facility, as public health sub-center is nonexistent here.

Table-34: Distance of the Nearest Public Health Sub-centre from the Colony

Sr.	Distance of nearest Health-Care Center	No.of colonies	Percent
1	Up to 1 Km.	10	12.3
2	2 to 3 Kms	41	50.6
4	4 to 8 Kms	30	37.0
Total		81	100.0

Residents of only 10 out of 81 colonies have health sub-center within reach of 1 kilometer. As many as 30 colonies have it beyond 4 kilometers.

Absence of reachable health-care accessibility at times becomes fatal in health emergencies, as road conditions are not good and transporting patients is troublesome due to remoteness of colonies having no access to public transport. In Siyasat Nagar, Ahmedabad, pregnant women have delivered babies on way to the health center; in Maulana Azad Nagar, Ahmedabad, five women have lost their babies in last two years because they could not be reached to hospital in time.

Table-35: NMBS benefits to Pregnant and Lactating Mothers

Sr.	NMBS benefits to pregnant and lactating mothers	No.of colonies	Percent
1	Yes	8	9.9
2	No	73	90.1
Total		81	100.0

73 (90.1 percent) colonies have no provisions for pregnant and lactating mothers under National Maternity Benefit Scheme.

Table-36: Any threats to habitants, if colony is not yet legal?

Sr.	Any threats?	No.of colonies	Percent
1	Yes	5	6.2
2	No	73	90.1
3	No information	3	3.7
Total		81	100.0

99.1 percent of colonies face no threats from either government officials or majority community, despite colonies being not totally legal. This is understandable because habitants of these colonies are pushed out from the main stream and any

provocation is likely to bring them back, and majority community would not be very happy to have them back.

Whatever threats they face is from within. Several colonies are built by collecting substantial contribution from habitants, and in installments that are still being collected. Many of them have not been in position to pay and hence are being asked to vacate the houses.

Table-37: Any Non-Muslim organisation to support establishes the colony?

Sr.	Any non-Muslim organisation	No.of colonies	Percent
1	Yes	6	7.4
2	No	69	85.2
3	No information	6	7.4
Total		81	100.0

This was one more question about which habitants are not much aware of. They came to reside here when the houses were almost built and were not in condition to comprehend their benefactors. However, Muslim NGOs have had a major stack in establishing and managing these colonies.

Chapter 3 INSIDE RELIEF COLONIES IN GUJARAT

Wedge 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 kilometers to 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 education. 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 two thousand 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.

The attitude of wanton denial of the State government is reflected in its reply to an interim application to the Supreme Court¹ where the State government admitted, in an affidavit to the highest court of the land, that some people have not returned to their original homes, but claimed that this was only because they found 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'.² 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 past 5 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 study³ that this paper is based. In the meanwhile, the National Commission of Minorities undertook

¹ Rejoinder to the reply filed by the State of Gujarat by way of affidavit dated 4th of January 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 & others

² Letter to Harsh Mander, Special Commissioner of the Supreme Court from Dr SK Nanda, Principal Secretary, Government of Gujarat, dated 21 November 2002 (mimeo)

³ The survey was financially supported by Oxfam GB 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

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 study⁴ by the Centre For Social Justice, Ahmedabad in collaboration with the Monitoring Committee constituted by the NHRC 2004, surveyed a sample of 4382⁵ families 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 (suggesting a population of 50,000).

Although the State government has refused to record the numbers of persons who were initially internally displaced in 2002, and has consistently downplayed the numbers, ironically its own defense about adequate relief efforts made to the NHRC actually suggest 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 NHRC⁶ 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 41844 persons not in camps. 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

⁴ A Status Report On Rehabilitation Of Victims Of Communal Violence In Gujarat In Year 2002: A Study Based On The U.N. Guiding Principles Of Internally Displaced. Prepared By Centre For Social Justice, Ahmedabad with the Guidance Of Monitoring Committee Constituted By NHRC. 2004

⁵ www.infoindia.com

⁶ 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.

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 enquires 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 currently 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.

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'⁷ 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.

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

⁷ Reported for instance in Asian Age, September 16, 2002. The text as reported here was 'What should we do? Run relief camps for them? Do we want to open baby producing centres? We are five and we will have 25 off springs, "Ame Paanch amara Pachchis.'" Incidentally, there has been no known official denial or clarification to this widely quoted remark.

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 land owners 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 2 kilometers from the nearest existing habitation.

In this report, 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 6 relief colonies were we able to find instances of collaborations of the Muslim organisations with secular groups⁸ 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

⁸ like Jan Vikas and Action Aid India

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 report⁹ based on its field visits from 13 to 17 October, 2006, reflects on the dangerous consequences of this dual abdication. It records its 'concern that 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 that 'the State Government has not been involved in constructing houses for the violence affected, thus leaving the rehabilitation process to the private organizations. If these private organizations were NGOs whose brief was to serve the violence affected that would still be appropriate. But this is not so. Some of the organizations 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'.

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

⁹ mimeo

rarely visited or reviewed the day to day activities of the colonies, and all powers effectively were vested in the local manager, who was often authoritarian and sometimes rumoured allegedly even to misuse single women. Residents of almost all colonies reported that they were required to pay sums of money ranging from one to twenty five thousand 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 moneylenders at exorbitant rates of interest.

The insecurity of residents living in the colonies about their future is aggravated because except in one colony, none 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 the managers of the 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. Of course, since 63 per cent colonies have less than 50 families, so the viability of common spaces is reduced. 34 have mosques, 4 community centers, and in others there are a few schools. Some irreverent residents said that they wished the organisations had built more modest 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 built of concrete, rather than mud and thatch.

The survey confirmed an acute denial of public services in all colonies. In 65 percent 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 2 or 3 rupees a pot. 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. Drainage is poor and often the land is low lying, causing intense flooding and clogging of stagnant water in the rainy seasons. 54 colonies have some rudimentary form of sewerage, common with other rural areas and slums, but women residents in many colonies confided their shame in having to use the open fields around the colony. 85 per cent of the approach roads and 95 per cent of the internal roads are kutchha (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 health care centers. 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 of most of these colonies to find the resources and earnings for

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 challenge of residents of relief colonies of finding work was confirmed by researchers in all relief colonies, without exception. The first reason for this substantial collapse of livelihoods is the 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 many parts of the State that reeled under the violence of 2002 to refuse to trade with or employ Muslims. It is hard to assess the exact extent of the boycott, because residents are reluctant to speak about it to strangers for fear of it aggravating their tenuous situation further. But I have observed this boycott in the majority of villages that were affected by the 2002 violence during extensive travels in the affected regions, although it is not always obvious on the surface. Non-Muslim employers often do not engage them back 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 taxies and rickshaws owned and operated by Muslims. Researchers reported a few villages where they were even barred from cultivating their fields.

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

tenements (see table 1 below). 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 much more regular livelihoods in so many 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 place 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 taxies 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 traveling to the work site on any particular day. It also rules out low paid work by women, such as of domestic help, because they would spend more on travel than they would earn.

Table 1

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	Nos of vi. frm where ppl hv come
1	Ekta Row House	Juhapura	Ahmedabad	7
2	Imarat-e-Sharia	Juhapura	Ahmedabad	11
3	Siddikabad	Juhapura	Ahmedabad	13
4	Naoda Gaon's people (5 houses)	Juhapura	Ahmedabad	1
5	Citizen's Colony	Shah-e-Alam	Ahmedabad	5
6	Maulana Azad Nagar	Shah-e-Alam	Ahmedabad	4
7	Mehtab Raw House	Shah-e-Alam	Ahmedabad	8
8	Sona Cutpiece wala (Salimbhai)	Shah-e-Alam	Ahmedabad	13
9	Siyasatnagar	Shah-e-Alam	Ahmedabad	1
10	Madni nagar	Ramol	Ahmedabad	10
11	Ekta nagar	Narol Rd,	Ahmedabad	16

		Vatva		
12	Faizal Park	Nr Zia Masjid, Vatva	Ahmedabad	1
13	Arsh Colony	Nr Zia Masjid, Vatva	Ahmedabad	13
14	Al Badra park	Viramgam	Ahmedabad	12
15	Hina Park	Nr. Ismail Nagar	Anand	10
16	I R C Colony	Nr. Rahimanagar	Anand	12
17	Manejwala	Nr. Rahimanagar	Anand	7
18	Mogri Sishwa Township	Nr. Rahimanagar	Anand	19
19	Rahimanagar Part 1	Anand-Bhalej Road	Anand	7
20	Rahimanagar Part 2	Anand-Bhalej Road	Anand	7
21	Rahimanagar Part 3	Anand-Bhalej Road	Anand	26
22	Faiz-e-Abrar Nagar	Anand-Bhalej Road	Anand	9
23	Shabbi Park extra - 7	Anand-Bhalej Road	Anand	5
24	Jahangir bhai's Field	Hadgud	Anand	1
25	Navrangpura, Badapura's Chara	Bhalej	Anand	1
26	Murtuza nagar	Pipli, Boshad	Anand	2
27	Rehmatnagar	Kanshari, Khambhat	Anand	3
28	Muhajir Colony	Anklav	Anand	12
29	Al Falah Nagar	Sojitra	Anand	12
30	Gulistan-e-Shat Nagar	Tarapur	Anand	15
31	Munshif Nagar	Chhota Udaipur	Baroda	12
32	Saeed nagar	Chhota Udaipur	Baroda	7
33	K G N Park	Ajwa road	Baroda	27
34	Relief Committee	Palej	Bharuch	13
35	Relief Committee	Tankaria	Bharuch	8
36	Rahimabad, Kapdi	Baria	Dahod	1
37	Mohmmedi Park Relief nagar	Kalol	Gandhinagar	1
38	Jamiyat Nagar	Balol,	Kheda	1

39	Rehmatnagar	Ghodasar	Kheda	1
40	Abubakar Raw House	Nadiad	Kheda	12
41	Imdad Nagar	Nadiad	Kheda	15
42	Nasirabad			8
43	Shalimar Soc. Part 2	Mehsana	Mehsana	1
44	Ettihad Colony	Agol, Kadi	Mehsana	3
45	Ahmed Latif Colony Extra 3	Della, Kadi	Mehsana	6
46	I R C Colony Extra 1	Rajpur, Kadi	Mehsana	2
47	B P L - Housing Colony	Mandali	Mehsana	1
48	Gujarat Gruh Nigam Board Soc.	Mandali	Mehsana	5
49	Garib Nawaz Colony	Vijapur	Mehsana	7
50	IRC Colony	Savala, Visnagar	Mehsana	5
51	Shani Park	Visnagar	Mehsana	1
52	Bilkis nagar, Aman park	Godhra	Panchmahal	12
53	Ekra colony	Baska, Halol	Panchmahal	13
54	Falah-e-Aam Trust	Halol	Panchmahal	13
55	Haji Majid Co. Op. Soc. Extra 3	Halol	Panchmahal	22
56	Kashimabad	Kallol	Panchmahal	8
57	Anjanwa Colony	Lunawada	Panchmahal	1
58	Husainabad Colony Extra 33	Himmatnagar	Sabarkantha	29
59	Kifayatnagar	Panpur, Himmatnagar	Sabarkantha	9
60	Muhajinagar	Lalpur, Himmatnagar	Sabarkantha	14
61	Satnagar	Himmatnagar	Sabarkantha	1
62	New Memon Colony	Panpur, Himmatnagar	Sabarkantha	12
63	Noor nagar	Shivgarh, Himmatnagar	Sabarkantha	5
64	Al Fazal - Patiyawala Colony	Himmatnagar	Sabarkantha	15
65	Adarsh Colony	Himmatnagar	Sabarkantha	10
66	Karnatakawala Raw House	Vadali, Idar	Sabarkantha	9
67	Patrawali Vashat	Panpur, Himmatnagar	Sabarkantha	10
68	Relief Houses	Navalpur, Himmatnagar	Sabarkantha	7
69	Garib Nawaz Colony	Gambhipura, Idar	Sabarkantha	12

70	Nusratnagar	Gambhipura, Idar	Sabarkantha	1
71	Noor-e-Elahinagar	Surpur, Idar	Sabarkantha	3
72	Memon Vashaht	Idar	Sabarkantha	11
73	Aman park	Vadali, Idar	Sabarkantha	10
74	Gulshan park Extra 8	Vadali, Idar	Sabarkantha	53
75	samad nagar	Megraj	Sabarkantha	4
76	Shaiful Hind nagar	Modasa	Sabarkantha	15
77	Aliens Nagar	Modasa	Sabarkantha	12
78	Rashidabad	Modasa	Sabarkantha	11
79	Mujahid-e-Millatnagar	Modasa	Sabarkantha	13
80	Sahara Colony	Modasa	Sabarkantha	4
81	Falah-e-Aam Trust	Modasa	Sabarkantha	6

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

All these problems are 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 meager. The State government officially reports¹⁰ that it has given 4.40 crore rupees to 10564 persons for loss of earning assets in urban areas and 4.73 crores to 6631 persons in rural areas (averaging as little as 4165 rupees and 7133 rupees respectively per capita). The average assistance to 2149 persons to rebuild small businesses in urban areas is 6235 rupees, and in rural 6639 rupees. The per capita quantum of support for industrial units and hotels is slightly higher at 24436 rupees for 2083 urban persons and 21284 rupees for 545 persons 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: 6808 rupees average for 18037 urban families, and 15905 for 11204 rural families. It is stressed that these low figures are based on the State government's own admissions.

¹⁰ In its report to the Commissioners of the Supreme Court in the case CWP/196/2002 dated 21 Nov, 2006 (mimeo)

Despite the desperate persisting situation of livelihoods and shelters of affected persons, both those in relief colonies but also those who have returned to their original villages, the State government has returned 19.10 crores unutilised from the paltry grant of 150 crores originally made by the central government, claiming that there are no unfinished tasks of rehabilitation, wantonly ignoring the intense denials of basic needs and rights and fragile survival of affected persons as confirmed by our survey nearly 5 years later. The NCM also notes with regret, 'During interaction with the State Government we raised the question of the sum Rs.19.10 crores that had been returned by the Government of Gujarat to the Government of India since it had not been utilized. 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 has pointed out to the ministries concerned in the government of India that the money should be returned if it could not be utilized 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 utilize 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 utilize the entire money allotted'.

The residents are also highly underserved by on-going food and livelihood schemes of the State government. Our survey reveals that school children are served mid-day meals in only 4 colonies of the 81 that came up after the 2002 violence (but this may be seen in the light of the fact that there are only 4 government and 1 government recognised schools). Only 5 of these have ICDS anganwadis, and in only 3 do children and infants receive supplementary nutrition.

There are PDS ration shops in only 3 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 APL (above poverty line). Of the 4545 families in the relief colonies surveyed, only 725 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 food grains cereals, kerosene and other basic consumer items at subsidized 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 was 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.

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. Residents confide that there remains a climate of insecurity to travel to schools outside the colonies. Of the 81 colonies, only 4 have government schools. There are 5 private schools, mostly set up by Muslim trusts or entrepreneurs, but only 1 of these are recognised by government. Besides this, children receive religious training in mosques in 9 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 2 colonies, although there is a better mix of communities in the teachers.

This complete communal divide is a realization 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 uncritically accept communal prejudice and propaganda.

In summary, the State government stubbornly refuses to even acknowledge the existence of these 81 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 fairly 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. In the colony on the garbage dump, we found children had cleared a space amidst the mountains of refuse to play cricket, even while we found it hard to bear the stench. The residents of these colonies survive with spirit and courage, amidst sub-human conditions and unconscionable failures of the State to provide a life of security and dignity to all citizens without discrimination.

But they also live with isolation, fear, hate, boycott, intimidation and penury as a way of daily life. For this, we all stand indicted. The National Human Rights Commission and the Supreme Court have placed their weight behind efforts for justice in a way never witnessed in sectarian violence and internal displacement in the past. But despite all this, in the end, the failures of the central government, Supreme and High Courts, the National Human Rights Commission, international humanitarian organisations and most civil society formations to reverse this open discrimination by the Gujarat State

government, amounts to a troubling 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.