

The Complaint on Internal Displacement submitted to the National Commission for Minorities

Hon'ble Chairperson and Members,
National Commission for Minorities,
New Delhi

Complaint filed under Sec 9.1(d) 9.1(b) 9.1(c) of the National Commission for Minorities Act: 1992

Date: August 25th, 2006

Complainants:

- 1) Mr. Gagan Sethi, Managing Trustee, Centre for Social Justice and Managing Trustee, Jan Vikas, Ahmedabad
- 2) Ms. Farah Naqvi, Social Activist and Independent Journalist, Delhi

The complainants are Indian citizens and have been working in the field of social development and protection of rights of women, dalits and minorities for many years, and have been active in Gujarat post the riots of 2002.

A. Brief Points of Complaint:

1. That more than 5000 Muslim families in Gujarat are still forced to live away from their habitual place of residence after the riots of 2002.
2. They are presently staying in make shift colonies in predominantly four districts of Gujarat i.e. Panchmahal, Sabarkantha, Dahod and Anand and in the cities of Ahmedabad and Vadodara, where their living conditions are sub-human and they live under constant threat of eviction by the State administration and physical threat to life by the majority community.
3. That their property i.e. land, houses, cattle, agricultural implements and other means of livelihood

have been forcibly taken away, thus pauperizing them without any adequate compensation let alone restoration and reparation of their rights.

4. These families, specially women and children, have been placed in an extremely vulnerable situation with denial of healthcare, sanitation, basic education and forced to survive in an unsafe social and physical environment.
5. Their complaints to the State administration elicit hostility and threats of further sanction. Also, activists or leaders of these communities who take cudgels on their behalf are falsely implicated in cases and/or threatened with police action.

B. Need for Recognition as Internally Displaced Minorities by the National Minorities Commission:

“Internally Displaced are persons or groups of persons who have been forced or obliged to flee or to leave their homes or places of habitual residence, in particular as a result of or in order to avoid the effects of armed conflict, situations of generalized violence, violations of human rights or natural or human-made disasters, and who have not crossed an internationally recognized State Border”.

The Status of the 'Internally Displaced' has been accepted by the United Nations as per the above definition and a Special Representative is appointed to monitor their conditions based on what is known as the UN Guiding Principles on Internal Displacement (submitted as Annexure I).

Though the Guiding Principles do not have the status of a legally binding international document, they are an accumulation of consensuses in International Humanitarian and Human Rights Law. They are drawn from many treatises to which India is a party, like the Universal Declaration of Human Rights and the Convention on the Rights of the Child.

In the Indian context, Internal Displacement takes place to a large extent in the context of Minorities and the recent situation in Gujarat is compelling evidence of this.

Thus, the National Commission for Minorities under its given functions under Sec 9(1)(b)(c) would be failing in its function if it does not take cognizance of the situation in Gujarat and in according to the

Muslims staying in these colonies the status of 'Internally Displaced' thereby facilitating their access to adequate rehabilitation, compensation and such other protections as are due as per the UN Guiding Principles on Internal Displacement.

This would also help in the victims demand that the State and Central Government meet their constitutional obligations, and that India as a democracy be in sync with international humanitarian and human rights standards.

C. Evidence:

The Complainants wish to place on record a comprehensive report titled “ Status Report on Rehabilitation of Victims of Communal Violence in Gujarat in the year 2002”, a study based on 'UN Guiding Principles of Internally Displaced' by the Center for Social Justice (Janvikas), Ahmedabad, prepared under the direction of Mr. P.G.J. Nampoothiri, Special Rapporteur, National Human Rights Commission (NHRC) and Mr. Gagan Sethi, Member of Monitoring Committee, constituted by National Human Rights Commission. The report has been updated as of 15th of October 2005 and the situation has only worsened since then. (Report submitted as Annexure II)

Unfortunately no quasi or judicial authority has visited the sites mentioned in the report, thereby failing to take cognizance of the situation on the ground. Previous visits, even by the National Commission for Minorities, have been restricted to meetings with State and NGO representatives and no effort has been made to examine the situation on the ground.

D. Brief summary of the findings:

1. There exist more than 5000 internally displaced Muslim families in Gujarat living in 46 campsites, which have been identified (a list of these sites are given in the report)
2. All these families have come to these campsites/colonies from relief camps, which were forcibly shut down by the Government and are not staying here by choice as the State Government claims in its affidavits and reports to various authorities.

3. In all cases, the bare minimum shelter has been provided by local or national NGOs with no support from the State Government. In most cases basic services like water, drainage, health centre, schools, and ration shops, have not been provided and some colonies have even received eviction notices.
4. The Status Report document provides a photo documentation, and a fact sheet of 12 campsites visited by the research team which prepared the report first in July 2004 and then again in the month of October 2005.
5. Specific instances of gross neglect and human rights violations have been given as case studies. These include instances of injured and wounded not being taken care of adequately, thereby suffering from permanent disability.
6. Representations made to the State administration for the return of assets forcibly taken over, have fallen on deaf ears.
7. The complainants have themselves visited several of these colonies and supported several efforts to provide relief and rehabilitation measures and brought to the notice of relevant authorities the conditions in these colonies.
8. The Special Rapporteur NHRC, Shri PGJ Nampoothiri has also visited these colonies and personally intervened with the district administration.

E. The Complainants seek the following remedies from the Commission:

1. Commit and carry out a study under the supervision of at least two members of the Commission and other such experts as it deems fit under Sec 9.1(e) which should validate and or modify or come out with its own findings vis a vis the submitted report in Annexure II.
2. The Committee so constituted should frame the Guidelines for Relief, Compensation and other Rehabilitation and obligatory provisions by the State to minorities who have been internally displaced.

3. Based on the study, order a listing of families to be declared as 'Internally Displaced' with entitlements as per the developed Guidelines for Internally displaced Minorities in India, which meet international standards as well as standards set by the Supreme Court of India on similar matters from time to time.
4. Appoint a monitoring officer to monitor and evaluate the progress of rehabilitation, reparation and return of the families on an ongoing basis as per Sec 9.1 (b) of the NCM Act.
5. Assess the situation and if the return is not feasible in the medium term, to accord special status to these colonies in terms of protection, amenities and services to be provided by the State Government as per guidelines developed.
6. Receive affidavits from the victims who have not been heard and do not have recourse to justice as per Sec 9.4(c), and recommend suitable reparative measures.
7. Summon appropriate persons, officials, institutions mentioned in the Status Report who have first hand knowledge of the situation as per Sec 9.4(a), as well as examine the representatives of the State Government for their responses to the acts of omission and commission on their part.
8. Any other course of action the Commission deems fit which alleviates the suffering of the Internally Displaced Muslims post the Gujarat communal riots of 2002, and also sets standards for dealing with Internal Displacement of Minorities which is a growing phenomenon in many parts of India.

Signed:

1. Gagan Sethi _____

2. Farah Naqvi _____

Dated: August 25, 2006

Report of the NCM's visit to Gujarat, 13-17 October, 2006

On the 29 August, 2006 the managing trustee, Centre for Social Justice and a social activist made a complaint to the chairman, National Commission for Minorities on the plight of persons displaced as a result of the communal violence in 2002. They pointed out that more than 5000 Muslim families in Gujarat are staying in make shift colonies in four districts of Gujarat. In view of the tense situation in their original place of residence, these people are unable to return. In the absence of basic amenities like safe drinking water, drainage, health, education etc. the condition of those living in these colonies is pitiable. They therefore requested the NCM to make a first hand assessment of the entire issue by visiting camps and to issue suitable directives to the government on the basis of their findings.

The matter was considered in the formal meeting of the commission held on 7 September, 2006. In this meeting it was decided that a three member team consisting of Vice Chairman, Member (ZH) and Member (DP) would visit Gujarat for this purpose. Over a period of three days (in the case of Member (ZH) the team visited a large number of camps. Member (ZH) herself visited seventeen colonies in the district of Panchmahal, Dahod, Sabarkantha and the city of Ahmedabad while Vice Chairman and Member (DP) visited colonies in Ahmedabad and Sabarkantha. The team had an opportunity to interact with the members of Civil Society, NGOs, groups involved in the rehabilitation and with inhabitants of the camps as well as with those who had suffered as a result of the riots. On the third day the team had a long meeting with the officials of the State Government led by the Chief Secretary and finished up with a session with the Chief Minister of Gujarat. The main findings of the team are summarized below:

Observations, Complaints and Demands of the Residents of Rehabilitation Colonies.

1. During its visits to the rehabilitation colonies, the NCM team was accompanied by District Collectors in the each four district development offices (DDOs), taluka development officers (TDOs), officials of the revenue department including talatis and mamlatdars, and by officers of the municipal authorities in the nagar palika areas and the Ahmedabad Municipal Corporation. The NCM team found that these colonies have come into existing after the violence of 2002. They

house people who prior to the riots had lived elsewhere. Several colonies were found to be housing people who are witnesses in major legal cases.

2. The NCM team noted with concern that not a single colony was constructed by the State Government, nor was any land allotted by the State Government. All the colonies were built on land purchased at commercial rates primarily by a range of Muslim organisations and NGOs including Jamiat al Ulema-e-Hind, Islamic Relief Committee, Gujarat Sarvajanik, etc. 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 centres. The poor conditions 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.
3. 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 profession and because of this they find it difficult to survive.
4. 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 a ration cards. Even when ration cards were issued most of the residents were given the Above Poverty Line (ABL) ration cards, instead of Below Poverty Line (BPL) ration cards. This makes a big difference because of the BPL ration cards holders are entitled to get food grains, 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.

5. Interaction with members of civil society, NGOs and those affected by the riots threw up several problems. Residents complained about the atmosphere of insecurity in which they had to live. The team received several complaints about the hostile attitude of the police towards the residents of these colonies or their representatives who have taken up their problems with relevant authorities. In addition to the palpable sense of insecurity in which most of the victims continue to live, there were several complaints that compensation given for the extensive loss suffered by the riot victims was completely inadequate. The team was told that the State Government has restricted compensation in respect of damage to houses to a maximum of 10,000. Other complaints referred to the absence of suitable rehabilitation facilities since the State Government concentrated only on immediate relief. Since the remit of the team was to look into the issue of rehabilitation we concentrated more closely on these.
6. During interaction with the State Government we raised the question of the sum of the Rs. 9.10 crores 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 could be possible to utilise the entire amount allotted. In the course of our visit 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.
7. The team noted with 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. As pointed out elsewhere, 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 riots 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 security and wellbeing of civil society as a whole are extremely serious.

8. The NCM received repeated demands by the victims as well as the NGOs for a policy package that would be applicable to all displaced persons. In our view the time has to look at this question very seriously. Riots, disturbances or other calamities occur at regular intervals. If, as a result of such occurrences, people are displaced and are unable to return to their usual places of residence, some responsibility for their welfare must devolve on the State.

Main Findings

Having visited several camp sites and interacted with members of civil society, victims and activists in the field, and government officials, the NCM came to the following conclusions:

1. The NCM found overwhelming evidence that there continue to be large number of the internally displaced Muslim families in Gujarat, who are living in sub-human conditions in colonies constructed entirely by NGOs.
2. They are not there by choice, but because they are unable to return to their original place of habitation.
3. There has been no support from the state to compensate them for their loss of habitual place of residence and normal livelihood or provide basic services and livelihood options to allow them to live with dignity in their present location.
4. There has been no attempt to secure a safe environment or facilitate their return to their homes.
5. Local Muslim organisers, who have tried to procure some rights and entitlements for these displaced survivors, have found themselves the target of threat and harassment by the local police.
6. Far from admitting that the inmates were in fact 'internally displaced persons' the authorities

argued that they had chosen to willingly remain in the camps even after some of their family members had returned to their original habitations where they continued to live and ply their trades in absolute security. The NCM team found such reasoning to be erroneous. It noted that the residents of these colonies fear to return to the places of they had fled partly because they have nothing left back home to return to and partly because many of them are eye witnesses to murders, arson and looting during the communal violence.

Recommendations

The NCM would like to make three sets of recommendations to the State Government and Central Government to improve the lot of the residents of the make-shift camps. These include (1) Basic amenities and livelihood issues (2) Central Government Economic Package (3) National Policy on Rehabilitation and Internally Displaced due to violence.

1 . Basic Amenities and Livelihood in Rehabilitation Colonies

Basic amenities must be provided in the camps of displaced victims. These would cover provisions of safe drinking water, street lights, approach roads etc. This should be done by the State Government.

Government of India should agree for a period of five years until they continue to live in the camps, whichever is earlier, all the inhabitants of such camps should be given BPL ration cards without going through the formalities laid down by the Government for the issue of such cards. Similarly, widows should be allowed to claim their pension even if they have not applied within two years or even if they have sons above the age of 18 years.

The State Government should prepare a special economic package for those displaced by the violence with special focus on livelihood issues. For the self employed special efforts should be made to provide inputs like easy credits, raw material and marketing assistance. We strongly believe that this is a vital element in the rehabilitation scenario and that for it to be successfully implemented, NGOs should be involved in it.

Wherever possible the State should take advantage of the National Rural Employment Guarantee

Programme to cover able bodied people in these camps and give them employment.

Government of India should return the amount of Rs. 19.10 crores given back by the Government of Gujarat. The State Government should be asked to cover more beneficiaries under the schemes in an attempt to utilise the entire sum.

There should be a monitoring committee consisting of representatives of State Government and Civil Society, which will be charged with the responsibility of ensuring that the schemes described above are properly implemented.

2. A Special Economic Package for Rehabilitation of Internally Displaced Muslim families in Gujarat

There is an urgent need for the Central Government to design and implement an immediate special economic package for rehabilitation of internally displaced Muslim families in Gujarat. The package must include a set of inputs that would address the totality of livelihood concerns. In particular attention must be paid to availability of credit, raw material and marketing support, where necessary, with the help of NGOs.

3. National Policy on Internal Displaced due to Violence

There is a need to design a national policy on internal displacement due to the violence. Populations displaced due to sectarian, ethnic or communal violence should not be left to suffer for years together due to the lack of a policy and absence of justiciable frame-work of entitlements.

The preamble of the new Draft National Rehabilitation Policy 2006, (NRP 2006) which incorporates recommendations made by the National Advisory Council, provides a precedent and sensitive understanding of how displacement due to any reason affects people. It describes displacement in the following terms, "...displacement of people, depriving them of their land, livelihood and shelter, restricting their access to traditional resource basis and uprooting them from their socio-cultural environment. These have traumatic psychological and socio-cultural consequences on the displaced population..". However, NRP 2006 pertains only to land displacement due to development imperatives. When displacement takes place due to mass violence, entailing loss of life, property, family and loved

ones and the total destruction of the fabric of a socio-economic and cultural community, then the rehabilitation of the internally displaced populations calls for a new framework of understanding.

When displacement takes place under conditions of fear and under constant direct threat of violation of Article 21 of the Constitution, the trauma and conditions under which survivors face the future is considerably worsened. Further, when the threat of violence is perceived to be continuing (as it currently is in the State of Gujarat), in the absence of justice and in a situation of discrimination and exclusion, the protection of people's constitutional rights can only be sought through a national policy which clearly lays out a non-negotiable framework of entitlements. Any national policy on internal displacement due to violence must be designed to include provisions for immediate compensation and rehabilitation. A national policy on internal displacement due to violence must further take into account the displaced population's aspirations of 'return to their home' and make provisions to facilitate the return, if it is possible under conditions of safety and security, and to restore the displaced families to their original conditions of living.

A national policy on internal displacement due to violence must also lay down specified time frames for implementation of a rehabilitation plan, as well as include an effective grievance redressal and monitoring mechanism.



Report of the visit of NCM delegation to the camp sites in Ahmedabad Municipal area and Modasa sub-Division (Sabarkantha District)

On 15.10.2006 Dr. Dileep Padagaonkar and Prof. Zoya Hasan, Members of the Commission and Sh. A. Banerji, Joint Secretary, NCM visited the camp sites in Ahmedabad municipal area. These relief camps have been set up by the NGOs, mostly run by the Muslim community.

1. New Fazal Nagar, Ahmedabad

There is no approach road to this relief camp. The kutchra road get submerged during the rainy season with the result that it becomes virtually impossible for the camp inmates to go to Ahmedabad city in search of employment. The children are not able to attend to the school because of the submerged road. Some of the families were given only Rs. 300/- as compensation by the State Government. There is no drinking water facility but there is one bore well provided by the NGO. None of the houses has any electricity. No new ration card or BPL card has been provided to any of the families. The old ration cards that they had brought with them are useless. Surprisingly, while no civic amenity is being provided and even the ownership rights to the houses have been granted, each of the families has been asked to pay Rs. 8,000/- as house tax. There is no employment opportunity or means of livelihood. Earlier they were earning on average Rs. 3,000/- p.m. by stitching and tailoring. Surprisingly, they have been provided with voting cards. However, some of the families have been proved with Rahat Cards against which they only get kerosene oil. There is no dispensary, no primary health centre and no clinic. There is one primary school which is located far away and as already stated above, the school becomes inaccessible during the rains when the kutchra road gets submerged under 4-5 feet of water. The maternity death rate is very high and no immunization programme has been conducted for the last 4 and half years. There is no Anganwadi or ICDS facility.

2. Gurbux (Gulberg) Society, Chamanpura, Ahmedabad

There is no drinking water facility in this camp. Boring water is available from a bore well provided by the NGO but the boring water is yellowish and blackish and totally unsafe for drinking. No garbage

cleaning is done by the Municipality. Electricity has been provided by a private company (Torrent). There is no sewerage and no dispensary. No medical team from the State Government or from the Municipality visited this camp when the camp inmates suffered during the recent Chikangunia attacks. No municipal official has ever visited this locality. Though kerosene oil is available, the kerosene oil dealer is a corrupt person. All the inmates demanded unanimously that the kerosene oil dealer must be punished. Despite several applications to the Food Controller, no BPL card has been issued to the camp inmates. There is no Anganwadi or ICDS facility.

3. Bombay Hotel, Ahmedabad

The Muslim League of Kerala has constructed the houses. This is the worst camp site visited by the NCM delegation. If there is hell anywhere under the sun, it is here. There is a huge garbage dump very near to the camp site. It is almost a mountain and all the garbage of Ahmedabad city gets dumped here. During the rains the garbage water from the dump seeps into the houses causing diseases, particularly severe skin disorders. There is no drinking water facility, the boring water is yellowish and unsafe for drinking. The camp does not have any dispensary, no primary health centre and no school. There is no sewerage and no garbage cleaning. About 105 families are residing here and none of them has any employment opportunity. Despite the fact that no municipal services have been provided, the families have been served with house tax demand. Even dead cattle, dogs and cats are thrown here by the Municipality right in front of the houses. No ration cards have been provided, there is no BPL card and no voting card. No municipal official has ever visited this place. Earlier the families used to earn quite a lot by stitching and tailoring in their villages but now there is no regular employment. Irregular labour employment becomes sometime available but the meager wage of Rs. 50/ per day gets eroded by Rs. 20/- as daily transportation cost. There is no metal road and street lights. Shortly after the evening the entire area becomes very insecure and anti-social elements roam the streets. Most of the families do not get even a square a meal a day. There is no maternity service at all. Even with their limited means, the families pulled up Rs. 30,000/- to set up a private drainage line. Neither Ahmedabad municipality nor the State Government provided any electricity connection. The Citizen Relief Committee, a NGO has provided power connection. Compensation varying from only Rs. 500/- to Rs. 2000/- was provided to

some of the families. No compensation was paid for the houses in their villages which were burnt to ashes. Though ownership rights of the houses have not been given and no municipal services provided, house tax demand of Rs. 700/- per family has been received. This camp site has an additional problem of paint factories located nearby. The effluents from the paint factories are polluting the water with the result that even bore well has become poisoned. Many ladies deposed before the NCM delegation, that if they are forced to live in the camp site in the existing circumstances, they will die of incurable diseases. There is no Anganwadi or ICDS facility.

4. Madni Nagar (Ramol), near Ahmedabad

This camp site is located in a rural area outside Ahmedabad city. Jamiat-Ulema-e-Hind, an NGO has set up this camp site and constructed all the houses. The NGO also runs a vocational centre and the meeting with NCM delegation took place in the vocational centre here. 334 families from Naroda, Kuha, Kujar and Haldarvas villages were settled here. The camp does not have any municipal water and no dispensary. The water facility has been provided by the NGO which even constructed the water overhead tank. There is no metal road but the kutcha road has been provided by the NGO. The State Government has not set up any school. However, the local Panchayat runs a small primary school which is not adequate to meet the requirement of the camp inmates. There are only 2-3 teachers in the school. Tap water facility has not been provided. Applications were submitted 16 times for providing drinking water facility but no action has been taken. Ownership rights for each of the 334 houses have been provided by the Jamiat but such rights are yet to be ratified by the concerned State Government authority. Most of the families were farmers earlier but now no farming opportunity is available to them. There is no street light, no Bank loans or credit facility has been provided to any of the families by the local Banks. None of the existing Rozgar Yojana Schemes has been extended to these families. There is no Anganwadi or ICDS.

5. Ekta Nagar (Juhapura), Ahmedabad

Juhapura is a big Muslim locality within Ahmedabad Municipal limit. About 2 lakh Muslims reside in the locality. Juhapura and the other 2 Muslim localities, namely Kalupur and Dariapur are the most neglected parts of Ahmedabad city. The roads are bad, there is no community centre and no good

school in any of the these localities. The Ekta Nagar camp site is actually a three storey building with one-room flats with kitchen/toilet. The families here came from Ognuj, Sabarmati and Navabaraj villages. No water supply facility is available and there is no dispensary. There is a private school but the families does not have money to pay the school fee. The minimum area of accommodation which these families had earlier was 800 sq. ft. and now they are being squeezed into 120 sq. ft. of space. There is no means of employment but a NGO has provided them with swing machines. Most of the families are at starvation level but they do not have any BPL cards. There is no draining facility available. The ladies work as domestic help. Earlier each family used to earn at least Rs. 8,000/- p.m. and now the average income has gone down to Rs. 2000/- p.m. Many families had to go back to their villages after the riot and sell their land to have money for survival in this camp. In fact most of them were forced to sell their land. The flats are not well lit. About 7-8 persons lie hurdled like cattle in the small one room and in summer, the situation becomes intolerable on account of the scorching heat. Most of the children are sick and without any education, they are bound to join the ranks of the anti-socials, if they manage to survive. There is no Anganwadi or ICDS facility.

6. Siddiqui (Siddikabad) Nagar, Ahmedabad

This camp site is located near Juhapura, in a plot of very low land which gets submerged ever year during the rains by Sabarmati water. The river Sabarmati flows closely nearby. There are 180 families in this site. Three storeyed blocks have been constructed by an NGO. The families came from Naroda-Patiya, Gulbarg, Sabarmati, Chandkhera and Bapunagar areas of Ahmedabad city. The Gujarat Sarvajanic Relief Committee, an NGO build the flats. Neither the Municipality nor the State Government has provided any water supply. Power is available but there is no street light. There is a bore well but the boring water is brackish. There is no dispensary and no primary health centre. There is no sewerage or garbage cleaning facility. None of the 180 families have been provided with any means of employment. Earlier most of the families were engaged in tailoring trade now some of the boys are working in Motor Garages. Earlier those boys were engaged in T.V. and Fridge making. Absence of schooling facility is a critical problem. As the inmates were residing in proper Ahmedabad city, they were studying in good co-educational schools. They have lost their school years and now they have become ineligible to appear for Board Examinations. There is private higher secondary school 5

kilometers away but most of the children cannot cover the distance. No ration card ,BPL card or voting card has been provided to them. The average monthly income has come down from Rs. 6,000/- p.m. to only Rs. 1200/- p.m. No ownership right has been provided in respect of the flats to any of the families. During the last flood a few months back, the ground floor occupants were forced to pay Rs. 40,000/- and the first floor occupants Rs. 25,000/- per flat for repairs. Surprisingly, the State Government provided money from only in the range of Rs. 200-700 per family and that too after survey of the flats. The District Collector, Ahmedabad who was present during the meeting had certified this. The NCM team was also shown a red line of flood level which is about 6 feet above the ground. The red line was marked by the State Government officials during the recent flood. It is anybody's guess that if 6 feet of water remains in a flat for a week or so, the entire flat gets damaged. The ground floor families have lost most of their furniture but the flood assistance of Rs. 200-700 was hardly adequate. It was a cruel joke played with the camp inmates. There is no Anganwadi or ICDS facility. The road is not a metal road and there is no street lighting. On several occasions, some of the families applied for children educational allowance but the local Seva Trust who were monitoring this matter failed to secure the CEA from the State Government. Many families pleaded for grant of auto rikshaw loans. Many ladies are working as housemaids but get very low wage.

7. Muhajir Nagar, Lalpur Village, Himmat Nagar, Sabarkantha Distict.

On 16.10.2006 the NCM delegation visited this camp in Sabarkantha district. Jamiat-Ulema-e-Hind, an NGO constructed the flats, each with kitchen and a bathroom. The men work as daily-wage labourers or as rickshaw drivers and handcart pullers. A few families received Rs. 5000 to Rs. 10,000/- as compensation but many are yet to get any compensation. The families pleaded for employment opportunities. There is a great need of SSI projects here. Most of the families were not given any compensation for the loss of their houses in the villages. Some were given compensation of only Rs. 1200/-. There is no pucca road to approach this camp site. Only 45 APL/BPL cards have been issued to the camp inmates. The applications were submitted two years back. This camp does not have any Qabristan and is not covered under the National Rural Employment Guarantee Project (NREGP). The local NGO has set up a primary school but the school is functioning in one of the rooms of the

camp. Despite several attempts, the plea of the inmates for construction of two rooms for the school has not so far materialized. The camp does not have any dispensary, drinking water facility, power connection, sanitation and street lights. There is no Anganwadi or ICDS facility.

8. Satangar, Himmat Nagar, Sabarkantha District

This camp has no toilet facility and no tap water. There is no employment opportunity under NREGP. They have some APL cards but a few BPL cards are needed to be issued. None of the families was given any compensation for their burnt out houses. They came from Samalpur village in Mehsana district where they cannot go back because the residence of the village are still threatening them. Meager amount of the level of Rs. 1200/- were provided to the families. It was astonishing to note that no death compensation was provided by the State Government to the next of the kin of the deceased. The camp does not have any dispensary and no primary health centre. There is no street light and there is only one tap for drinking water. There is no approach road (metal). There is only one primary school but no high school or higher secondary school where the grown ups can be enrolled. There is no Anganwadi or ICDS facility.

9. Kifayatnagar, Himmatnagar bypass road, Himmatnagar, District Sabarkantha

197 Families reside here. The total population is about 900. Each house has only one room, a kitchen and a bathroom. 152 houses were constructed by Jamiat-Ulema-e-Hind, 20 by Hindu Samaj and 25 by the local Member of Parliament. There is no approach road (metal) and no internal road. The camp has no draining system. One bore well was build by an NGO. The camp inmates had built a water tank by pooling their own resources. But connection from the local Panchayat is awaited. Despite several representations the Panchayat has not taken any action. Only 50 houses have power connection. For the rest the Gujarat Electricity Board has charged Rs.2.7 lakh (Rs. 3,000/- to Rs. 4000/- per household). There is no Government health service. About 250 children including 70 girls are studying in a local primary school set up by the local community. On average the camp inmates get Rs. 5000/- to 10,000/- as compensation and cash dole @ Rs. 2500/-. BPL cards have not been provided. The residents pleaded before the NCM delegation that a union package similar to the 1984 anti-Sikh riot

victims may be provided to them as they have come to conclusion that the State Government would not do anything for them. There is no Anganwadi or ICDS facility.

10. Millatnagar and Shaikul Hind Nagar, Modasa, Sabarkantha District

62 families residing in Millat Nagar and 175 in Shaikul Hind Nagar. The Millat Nagar families spent 4 years in tents. The houses were constructed only 3 months back. The inmates of both the camps did not have any power connection and no drinking water facility. There is no metal road approaching these two colonies. Though no municipal services and civic amenities have been provided, municipal taxes are being charged from them. The Shaikul Hind Nagar residents had to stay in tents for two years. A private well supplies drinking water but there is no hand pump. The Modasa Nagar Palika did not give any response to repeated applications of drinking water. There are no BPL cards and no street lights. The Mayor of Modasa Nagar Palika and the District Collector, Sabarkantha who were present during the meeting gave the following assurances to the NCM delegation :-

1. By May 2007 Municipal water will be provided to these camps.
2. By 15 November 2007 ration cards will be provided to these camp inmates.

There is no Anganwadi or ICDS facility in these two camps.

11. Al-Falahnagar, Modasa, Sabarkantha District

About 250 families reside in two camps located here. The first camp has 110 families and the second 140. There is no drinking water facility. However the Mayor of Modasa Nagar Palika assured the NCM delegation that by May, 2007 Municipal water will be provided. These two camps do not have any approach road (metal) no primary school, no dispensary and no street lights. Despite total absence of these civic amenities, they have been charged with Municipal tax. BPL cards are being issued but the Government officials could not give any guarantee to the NCM delegation that how soon the process will be completed. About 45 houses belonging to these families were burnt during 2002 riots but no compensation has been provided so far. There is no Anganwadi or ICDS facility in these two camps.

12. Rashidabad and Alliance Nagar, Modasa, Sabarkantha District

The NCM delegation took a joint meeting with the inmates of these two camps on 16.10.2006. There is no drinking water, no approach road, no dispensary, no power connection and no street lights. The Alliance Nagar camp has a bore well and a hand pump set up by an NGO. There is no school nearby, the nearest school is located far away. There is no employment opportunity. Surprisingly, though no street light has been provided, the camp inmates have been charged with the street light tax. At present none of the camp inmates residing in these two camps have been issued any BPL cards. During the last rainy season two boys, one studying in a higher secondary school and the other in a college, got drowned in the nearby pond but the authorities did not pay any heed to the representations of the inmates for construction of a pucca road and street lights. The local NGO had spend Rs. 1.75 lakhs to erect electricity polls but no power connection has been provided. The Rashidabad inmates stayed in tents for two years. There is no Anganwadi or ICDS facility in any of these two camps.



Excerpts from the Recommendations made to the Prime Minister

Core Proposal for Compensation and Rehabilitation

- An amount of Rs.4 lakhs per family/household which is internally displaced as of date of announcement i.e. not staying in their place of residence since the 2002 riots and allotted semi permanent shelters in relief colonies.
- Of the Rs 4 lakhs, Rs 2 lakhs as cash compensation to each family, in form of monthly income post office deposits(5 to 7years duration) in the name of the woman, and the balance to be split two ways
- Rs.1 lakh towards creation & improvement of existing infrastructure in the colonies including improvement of the present shelter. The houses must be in joint names of both spouses.
- The balance Rs.1 lakh on livelihood including a family health insurance, of each family (to cover minimum two members of the family of which one should be a woman) to be spent, based on micro planning exercise to be conducted at each colony with the assistance of credible NGO's.
- Total cost of the package would be Rs200 to 250 crores covering between 5000 to 6250 families covering between 47 to 55 colonies.

Ensuring effective implementation

- 100% census of the colonies and other similarly displaced (if any) with the help of professional agencies like TISS(Mumbai),Gujarat Vidyapith, Centre for Social Justice Gujarat under supervision of a multi-disciplinary monitoring committee which must include reps deputed by NHRC, NCM, Central Govt, State Govt (GSDMA) and NGO's. Preferably chaired by a retired High Court Judge.
- Funds to be managed by GSDMA by setting up a unit headed by a Secretary rank officer with an additional collector in every district deputed for nine months to complete the entire exercise from census to execution and report on a monthly progress to the monitoring committee.

The Uprooted

Caught between Existence and Denial

- If the State Govt refuses to cooperate then agencies like NABARD or HUDCO be charged with the responsibility by setting up a special cell. Alternatively the National Disaster Management Authority needs to be activated.
- Invite partnership of credible NGOs & corporate bodies to invest human resources for ground level software support including legal aid/vocational training as their contribution in this humanitarian effort.



MEDIA REPORTS

NEWS

State Govt must actively help rehabilitate the riot-hit: NCM

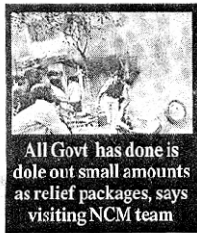
EXPRESS NEWS SERVICE
VADODRA, OCTOBER 13

AFTER visiting post-Godhra riot victims resettled in colonies around Godhra, National Commission for Minorities (NCM) member Zoya Hassan demanded that the state government come out with a 'concrete displacement policy' for the riot-affected persons, who she described as 'internally displaced persons'.

Stating that this state government did not play any role except to dole out little amounts as relief packages, Hassan said it should expand its role in proper rehabilitation of the riot-hit families and chalk out a separate plan on the lines of what was done for Bhai earthquake victims.

Hassan wanted the Gujarat government to take active part in the rehabilitation of riot-hit people and said that it must not leave the task to NGOs and philanthropic Muslims only, something she gathered after talking to displaced persons.

At Rajgad, about 50 km from Godhra, Hassan said she was



All Govt has done is dole out small amounts as relief packages, says visiting NCM team

shocked to find that the district administration, instead of assisting in construction of houses for riot-victims, had been putting obstructions.

Cut of 50 houses, whose construction was undertaken by Hyderabad-based NGO, 25 were still roofless because the district authorities physically stopped construction and issued notices that these were illegal. Consequently, many families still lived in rented houses or with relatives.

District authorities also reportedly issued similar notices pertaining to in-

stallation of a borewell for supplying drinking water to the riot victims.

District authorities, including in-charge district collector Manita Verma, were glorified by riot victims in Rajgad and Verma reportedly assured them that their problems would be solved.

Apart from Rajgad, Hassan also visited resettlements like Haji Mirza Kaika Colony in Halol, Ibra Colony in Baska, Raheemabad Colony in Devgad, Bari and Qasimabad Colony in Katol. Everywhere residents told her that they did not have proper electricity connections, there was no drinking water supply arrangements, no health facilities and schooling arrangement for their children.

Victims told the NCM delegation accompanied by Ahmedabad-based activist Gagan Sethi that they wanted to return to their native villages but were not offered security by the district administration. Victims said to this they did not have proper job and are facing monetary problem. There are a total of 46 resettlement colonies all over Gujarat.

ORDER
O STOP
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HIT NATION

New Delhi, Tuesday, October 13, 2002 Page 8

5,000 Muslims still in camps

After Gujarat shock, minority panel seeks policy for displaced

By S. S. Chhabra
New Delhi, October 13



No place to call home

WHO IS AN INTERNALLY DISPLACED PERSON (IDP)?

For IDPs, there is no place to go to. They are not allowed to return to their homes and are not given any relief packages.

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PLEASED WITH SIGNIFICANT POPULATIONS

in Gujarat

in Gujarat

in Gujarat

in Gujarat

No break from violence for Gujarat to lick its wounds

Times News Network

GANDHINAGAR/AHMEDABAD:

Those talking about normalcy returning to Gujarat perhaps have in mind the crowds that have been thronging the state's first McDonald's outlet in Ahmedabad since it opened last Thursday.

McDonald's India (western region) managing director Amit Jata says during the first five days of the restaurant's opening, which had to be postponed because of the riots, about 30,000 people visited it, evoking an unbelievable response in these troubled times.

But the fast food chain's success paints a false picture of normalcy in a city that has lost nearly 300 lives so far. A month after the senseless attack on the Sabarmati Express carrying Ram Sevaks from Ayod-

hya on February 27, Gujarat is still feeling the heat coming out of the burnt down S-6 compartment. The first week of frenzy had just died down when the March 15 'stala puja' in Ayodhya fuelled a fresh bout of violence, which has so far taken another 30 lives.

And now, with Holi's potential for mischief later this week, nobody out of the nearly one lakh refugees at the relief camps is willing to return home. Most of them actually have no homes to go back to, and even if they haven't been burnt down, the fear is so overwhelming that they are willing to sleep in filthy camps than risk another mob attack.

Consider the statistics of the month-long nightmare Gujarat has lived: The official toll stands at 783 and, with each passing day, is stealthily inching closer to

the 800 mark. Nearly 97,998 people live in 101 relief camps. The government has declared different packages, including that of providing Rs 5,000 to Rs 50,000 as compensation to those whose houses have been gutted, but the claimants don't know where to rebuild their houses.

Police statistics show 125 people have died in police firing. The police fired 6,500 rounds, exploded 8,300 tear-gas shells and has arrested a staggering 10,000 people. Impressive statistics these. But nobody's impressed, not the all-party MPs delegation neither the National Commission for Minorities nor the National Human Rights Commission.

The impact of violence is writ large not only in the city's relief camps but also in the nearly 30 towns and cities of Gujarat, still under curfew, as the police, beaten black and blue because of its initial sluggishness, is not taking any chances in the build-up to Holi.

The violence in the first three days or 72 hours as Chief Minister Narendra Modi likes to put it, has given way to a low intensity but sustained war where

- Official toll stands at 783 and, with each passing day, is steadily inching closer to the 800-mark.
- Nearly 97,998 people live in 101 relief camps.
- 125 people have died in police firing. The police have so far fired 6,500 rounds, exploded 8,300 tear-gas shells and have arrested 10,000 people.
- CII, GCCL estimates show business losses in the last month ranging between Rs 2,000 crore and Rs 2,250 crore.

students going to examination halls have been stabbed, nurses going to hospitals on night shifts attacked with acid bombs, individuals having married outside the

community have been hunted down and killed and people being escorted to safety by the police lynched.

Ask the chief minister when all this will end and he finds a rather strange symphony between Opposition MPs and the mobs. The violence will end when the Lok Sabha session ends, he declared at a recent meeting in Rajkot.

The toll and the shattered psyche apart, it's the financial punch that the riots have delivered that's now beginning to tell.

Confederation of Indian Industry and Gujarat Chambers of Commerce and Industry estimates show business losses in the last month ranging between Rs 2,000 crore and Rs 2,250 crore. Something that a state which was already reeling under the impact of the quake just couldn't afford.

But in some ways, many believe the killer quake was, perhaps better than the riots. At least, it brought people together.

Violence rages in villages; uneasy calm in Ahmedabad

A' BAD
Day 4: Toll crosses 380-mark; 27 charred bodies recovered in Mehsana

Times News Network
AHMEDABAD: Ahmedabad got a relative respite on Saturday after four days of mindless violence but from areas, including the far-flung villages of the state were the target of massive reprisal killings arising out of the Sahayni Express carnage.

With the police in Mehans area of the city now bolstered by the presence of the Army and paramilitary forces, rioters limited their attention to new cities like Surat and Bhavnagar as well as the countryside which is largely untraced.

The toll following four days of violence has crossed the 300-mark through the state government's public accountants (PA) 289 bodies were killed in violence. The PA also includes 115 who died in the Sahayni Express carnage in Gujarat and Wednesday.

Cuttack was reported to have a major and a son in which at least five persons were killed. But the biggest massacres were reported from the North Gujarat districts of Sabarmatli and Mehsana, where mobs targeted specific villages.

Violence raged in Mehsana after the discovery of 27 charred bodies from 24 villages. The villages were burnt down in the night. The bodies were brought to the Civil Hospital in Ahmedabad on Saturday afternoon. They included 15 men, 10 women and 2 children.

Police sources said the attack seemed to have the mob had participated in the road leading to Saraspur from Mehsana to ensure that the police did not reach the spot on time.

In the adjoining Sabarmatli district, 11 people were killed in a bus on Friday evening. Mobs from both communities were seen to have participated in Saturday.



Police stand guard near the DHR Dargah in Ahmedabad on Saturday.

Police stand guard near the DHR Dargah in Ahmedabad on Saturday. The police were seen in various parts of the city, including near the Dargah, to maintain order and prevent further violence.

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Government begins drive to send relief camp inmates home

EXPRESS NEWS SERVICE
AHMEDABAD, MAY 24

THE State Government officials have started a drive to send the camp inmates who live in minority-dominated areas back to their homes.

Secretary in charge of relief and Managing Director of the Gujarat State Export Corporation Limited, Kishore Rao, visited the Sonal Relief Camp and the Sanket...

...The camp organisers discussed the problems which the inmates were likely to face if they were sent back to their homes from the camps. Narzer, Vohra, explained that many inmates had not received the compensation from the Government. So they are afraid of returning to their homes because they feel that they will not receive the money once they leave the camps and go...

Rao assured the people that the money will reach them, come what may. Even if the money is sent to the camp, the organizers can take it upon themselves to personally deliver the sum to the concerned people. He added that the relief money has been doubled and now instead of Rs 1,250, people will be given Rs 2,500. Those who have already received the money will also be given the amount. Rao also talked to the people of Naroda and gave them the assurance that they will not be forced to go back to their homes. He said, "These people have gone through the trauma. The Government is going to forcibly send them back to their homes if they do not wish to. At least we should try and persuade the people to start picking up their homes."

Secretary incharge of relief assured inmates that adequate security will be provided to those willing to return home

Rao is in charge of the relief camps in Juhapura, Danilimda, Jamalpur and the camp. He visited the inmates and the organizers. He appealed to the people who live in minority dominated areas, to return to their homes. He said, "These people have gone through the trauma. The Government is going to forcibly send them back to their homes if they do not wish to. At least we should try and persuade the people to start picking up their homes."

350 cases of jaundice in Gomtipur

A' bad
Times News Network

Ahmedabad: The joint teams of the state health department and Ahmedabad Municipal Corporation (AMC) are continuing their drive against jaundice in the Gomtipur area, from where one death and 350 cases of the disease have been reported.

State health minister Ashok Bhatt said that the teams have distributed more than 70,000 chlorine tablets in the affected areas. The department has already set up a control room at the ESIS Hospital in Rajpur-Hirpur.

The state government has asked the health officials of the municipal corporation to trace the focal point of the epidemic in the Ashoknagar slum, as overflowing sewer water came into contact with the drinking water pipeline in the area and contaminated water led to jaundice.

The number of jaundice-related cases has increased from 200 to 350 in the past four days and if effective measures are not taken by the municipal corporation, then there is possibility of the epidemic spreading to other areas.



Jaundice-affected patients at the ESIS Hospital at Gomtipur in Ahmedabad on Sunday.

Riot victims continue to languish in neglect

Tushar Tere | TNN

Halol: No power, no water and little employment — this seems to be the situation at rehabilitation colonies for the post-Godhra riot victims even after four-and-a-half years. The residents of these colonies vented their anger against the administration during the visit by members of the National Commission for Minorities (NCM) on Friday. Not only did the riot victims accuse the state government of delaying the relief work, they also alleged that the police officials and district administration were harassing them.



Ali Meherban, who fled Gajapura village after the riots, is at present staying at a rehabilitation colony in Baska that has 49 homes.

Zoya Hasan, member of the NCM too seemed shocked by the state of the rehabilitation colonies. Zoya, who conversed with the victims here, "There are no amenities here. What is the state government doing?" "I met the electricity board officials but they said that our plot is agricultural land, and it needs to be converted into a non-agriculture plot. We have made a number of applications

Cover-up?

Devgadhi Baria (Panchmahals): The district administration, including Dahod collector Mamta Verma, spent some embarrassing moment on Friday when the residents of a riot rehabilitation colony at Devgadhi Baria blew the lid off the attempt by the district administration to cover up the shoddy roads at the last moment. "The roads approaching our colony were in pathetic condition, it is a day before

NCM TEAM SURVEY

"We are tired of state government's red-tape attitude towards the relief and rehabilitation work in the last four-and-a-half years. They are deliberately delaying everything to harass us," screamed Mehboob Yusuf, staying at a riot rehabilitation colony in Halol, Friday. More than 192 families

At V S Hospital, 12-year-old Mohammad Sarfaroz lies on the floor as the beds are occupied by victims who have received severe injuries. The doctor who treated him has given him permission to leave, but he continues to lie on the floor. "I don't know where to go," says the boy, whose family was killed

Supiya Bano, who survived the Naroda massacre, doesn't know how she will bring up her 7-year-old daughter

"They raped my wife and then threw her in the fire with the rest," he says. "I could either save her or my children. I chose my children," he says. Stating that he will not return to the area, he says, "Supiya just can't stop crying as her daughter plays. She keeps asking me where her father is and when he will come to take us away. I have told her he was burnt but she doesn't understand. I don't know where to go? Where will I take her?" she cries. "Seventeen-year-old Shabana married in 15 days. She burns

no one has come. "I saw my five siblings being burnt but don't know about my parents," she says. "I can't go back to where our house was. I will return to Mathura from where we came 10 years back," she adds. In Ward 4 of V S Hospital, a child of about two years lies on a bed, bandaged. "The police brought him here but no one knows where his parents are," informs the patient in the next bed. "Who will take care of him once he is OK?" he wonders. Having survived the fire, bullets and stabbings, these victims came across as the lucky ones. But how they will survive now is a question that haunts them.

With nowhere to go, survivors worry how they'll survive

SHEFALI NAUTIYAL
AHMEDABAD, MARCH 3

TALK to Supiya Bano, one of the lucky few who survived the Naroda Patiya massacre, and you'll be shocked. For when does a mother wish her child dead? Supiya does. She says she wished her seven-year-old daughter Parvana had died in the fire. For Supiya, who has lost her husband, two daughters and her youngest daughter seems one house, the burden of raising her she can't bear. And with nowhere to go, the mother-daughter duo continue to live in the Civil Hospital despite having been discharged.

Muslim restaurateurs plan to leave Gujarat

Harit Mehta
Times News Network
AHMEDABAD: In just over a decade, the Chelia or Muman Muslims managed to get a lion's share in the hotel and restaurant industry. And no brainstorming required to find the reasons for their meteoric rise. Quality food at competitive prices and excellent service ensured success. But today, all that hard work is in ashes, literally. As many as 692 hotels and restaurants belonging to this community across the state have been gutted, as many as 169 in Ahmedabad alone. "We'll have to begin from scratch. Many of our brethren don't even have insurance policies," says a heart-broken hotel owner. And with nobody to guarantee them safety, chances are that they may look for safe areas — may be shift to another state, probably somewhere down south. "I came

here 10 years back from Mumbai because we thought this was a safe place. We are shattered lot. We have lost all hope," says a restaurant owner whose three restaurants have been reduced to nothing. The losses in terms of money have been mind-boggling. According to Ahmedabad Hotel Owners' Association (AHOA) the losses are worth Rs 292 crore. And considering that the Chelia hoteliers operated on a co-operative basis, recovering from such a big blow would be a tall order. At present, many hotel owners have fled to their native places and may come after normality is restored. "Recovering from this traumatic episode is going to be an uphill task. Many of us have lost everything. The handful of the lucky ones are scared to resume the business as they feel they are soft targets," says another hotelier whose one restaurant has been burnt.

However, amidst a feeling of hopelessness and despair, there are strong determined sounds to be heard. "We will definitely start our hotels back. We have to," says yet another restaurant owner. Echoes Jehangir Cama of the Cama Hotel, "I am sure they'll restart their business. They are such an enterprising community. But the damage is already done, not only to this particular community but to the entire industry. According to AHOA president Narendra Brahmabhatt, the riots have rattled the entire hotel industry. "The government collected Rs 61 lakh as luxury tax and Rs 27 lakh as sales tax in February 2002. The corresponding figures for March 2002 tell a tale: Rs 4 lakh and Rs 2 lakh, respectively."

Measles epidemic hits relief camps in state

Kalpna Jain
Times News Network
NEW DELHI: Contrary to the claims of the Union health ministry, a measles epidemic is raging in some of Gujarat's riot relief camps. Not only are effective antibiotics unavailable but diseases are also spreading fast as people are forced to live in cramped and unhygienic conditions. In an SOS sent out through the activist and NGO network on Sunday, doctors there have asked citizens around the country for urgent assistance in the form of antibiotics. Doctors at the camp, housing about 1,500 people, in Godhra told TNN that at least 60 children had developed measles and the only source of most medicines was NGOs and some generous donors. Last Thursday, Union health minister C P Thakur along with Gujarat health minister Ashok Bhatt, amid much fanfare in Delhi, sent off a truck packed with antibiotics and other medicines to the riot-torn state. The ministers claimed that medicines worth Rs 826 crore were being sent and that an efficient state machinery had very rapidly managed to control the possibility of a measles epidemic. Thakur was not available for comment despite repeated calls on Monday. Thakur had also said only eight cases of measles had been detected in five of the relief camps in Gujarat, thanks to the Modi government's effort at immunisation in these camps. However, a doctor working in the Godhra camp said on a single day

alone there were 25 cases of children with measles. He did not rule out the possibility of the numbers increasing rapidly. "Although children who have developed the measles rash have been isolated, we are not sure if this would check the epidemic. In any case, smaller children cannot be taken away from their mothers," he added. A worker at the Godhra camp, Abdullah Godhrawallah, talking about the medical conditions and lack of availability of medicines said that while the civil hospital has been supplying some medicines, it is not what is actually needed. For instance, Chloramphenicol, is being given for treating typhoid, when the drug is already known to have developed resistance to the bug. The preferred antibiotic now is Ciprofloxacin, he said. Because of the failure of the government, help is being mobilised through NGOs and private donors. A request received by this newspaper asked for the following antibiotics urgently: Cephalixin, Amoxicillin, Gentamycin, Cefadroxin, Ampicillin, and Ciprofloxacin. Belying state health minister Bhatt's claims that supply of chlorinated water to the camps had controlled any outbreaks of water-borne diseases, doctors at Godhra said a large number of people were suffering from various water-borne diseases such as gastroenteritis and typhoid. The other diseases spreading there are measles and respiratory tract infections.

The Hindu, Oct. 24th 2002

10 NEWS

Gujarat riot victims living in "sub-human conditions"

State not facilitating their return: National Commission for Minorities

Special Correspondent

NEW DELHI: Four-and-a-half years after the carnage of 2002, over 5,500 displaced families belonging to the minority community continue to live in camps in "sub-human conditions" because the Gujarat Government is not fulfilling its constitutional responsibility to create an atmosphere that would enable them to return home. This is the key finding of the National Commission for

- Inmates do not have rudimentary civic amenities
- "Overwhelming" number without ration cards

the State Government stated that the inmates of the camps were living there voluntarily. The NCM in its report said, "In view of the overwhelming evidence to the contrary, the Commission finds this view-

According to NCM member Zoya Hasan, the abdication of State responsibility in the post-violence situation is just as bad if not worse than its turning a Nelson's eye to the carnage in 2002. "While the Gujarat Government is refusing to recognise their displacement, it also seems that the nation has forgotten what happened in 2002."

During their visits, members found that inmates lived without the most rudimentary civic amenities like potable water, sanitation, streetlights, schools, primary health centres and approach roads. Besides, "an overwhelming" number of families did not have ration cards. Requests for below poverty line cards have been repeatedly turned down. As a result, many families were unable to obtain foodgrains, cereals and kerosene at subsidised rates. The Commission found this had increased their hardship, as

most displaced families were reduced to working for daily wages after losing their means of livelihood. Through State Government officials coerced the Commission members to these camps, the establishment remained unmoved by the inhuman conditions there. Most of the camps were located on land bought or donated by wealthy Mittal. Many inmates were key witnesses in major cases. "They live in constant fear and terrible deprivation," they have not lost their faith in the State, the report said.

No relief supplies even in food minister's constituency

Ranjana Banerji & Deepika Sahu
Times News Network

AHMEDABAD: The relief camp at Aman Chauk, Bapunagar, has 1,600 families living there, a total of 8,000 people from 22 places. The camp started on the night of February 28, as people started pouring in. The office is just 400 metres away, its presence was not much help to the Muslim

needed and what's been received. In many ways, it is symbolic of the gap between Hindus and Muslims in this riot-torn state.

The camp manages on donations from local people, all Muslims, some Muslim NGOs and the St Xavier's Social Service Society (SXSSS). Local doctors visit, as does the AMC dispensary unit. No minister or prominent politician of any party or leaning had visited yet, although I K Gujar and V P Singh were expected.

At the relief camp in Dudhesar, located in a municipal school, the government help started coming two days ago, apparently at some 25 per cent of the requirement. They asked for 1,000 tents to accommodate victims of the Naroda-Patiya massacre, and as it gets quite cold at night, blankets as well.

A government relief van distributes packets of clothes, marked for earthquake relief. Not distributed then, they may be of some help now. Again, local Muslim NGOs, the SXSSS and the Red Cross have been working here.

civil supplies, Bharat Barot, under whose constituency this falls, has not visited. In the general BJP ethos, however, he is seen as a somewhat pro-Muslim minister. Sundaram Nagar, on the road to Oddhav, has received no government help at all. "They keep promising, but nothing comes," says Farukh Azam, a volunteer here. The 2,000 people from many places, including Naroda and Chamapara, are dependent on private Muslim NGOs, the SXSSS and private donations. AMC doctors have been, so has the Red Cross. Gordhan Zadaphia, the minister from the area, has not been. Mayor Hasmatbhai Patel has.

There have been complaints that the media is deliberately emphasising these riots, while ignoring the Hindu Hoxevet. Muslims in the camps, it is parading in these camps, it is parading a man who lost almost everything in the Naroda-Patiya riots.

The answer is silence.

Minister of state for food and

'2 lakh people lost their belongings in Gujarat'

By Our Legal Correspondent

NEW DELHI, APRIL 15: There was total chaos, widespread violence and destruction of property belonging to the minorities and more than 1,000 people lost their lives, following the Godhra train carnage, social activists, Sarabhani and Digan, Dza and journalists, Indukumar Jami, said in a public interest litigation in the Supreme Court today.

In the month-long violence, two lakh people had lost their houses, properties and many of them had taken shelter in relief camps, where conditions were miserable and unhygienic.

Appearing for the petitioners, senior counsel, P. Chidambaram, contended that the State police were so biased that they did not even register proper charges against the perpetrators of terror against the minority community.

The petitioners alleged that the appointment of an inquiry commission by the State Government, headed by a retired judge of the High Court, K.G. Shah, was only an eyewash and a device to prevent genuine inquiry by other authorities such as the National Human Rights Commission.

Justice demanded that the inquiry be conducted by a special investigation team directed to its end and sought a direction to this effect.

The petitioners also prayed that the SIT be directed to inquire complaints from victims of communal riots and register them. They also wanted to determine the liability of the State, the BJP and the VJP and to direct them to pay compensation for loss of life, injuries and properties.

Three camps in Ahmedabad closed

Times News Network

AHMEDABAD: Three riot-relief camps in the city have ceased to exist from Friday. Officials of the district collectorate declared that these camps will not function any more.

According to sources in the collectorate, these camps had only a few inmates and the authorities felt no need to continue with their provisions. This said sources, was also in keeping with the state government's directive to wrap up all relief camps at the earliest. "Many

more such instances could soon follow," informed the sources. The camps that were discontinued were situated at Bhandari Pol in Kalapur, Prem Dardeni Pol in Dariapur and one at Khanpur.

"While one camp had closed down on its own, we did not find any need to continue with the two others. Most of the camp inmates

are local residents and have been living at their homes for days together. We took this step so that government rations, money paid as per daily allowance and other amenities extended by the state authorities through agencies like the collectorate and Ahmedabad Municipal Corporation are not misused," reasoned a government official.

Big Central aid for riot victims likely

Himanshu Kazhik 17th

Ahmedabad: The UPA government at the Centre is likely to announce a one-time compensation package for the 2002 Gujarat riot victims, on the lines of the relief and compensation awarded to the 1984 Sikh riot victims. The compensation will cover not only the casualties but also those who are staying in semi-permanent camps.



Sources in New Delhi said the measure, which will be made public shortly, is primarily aimed at the Gujarat riot victims though it may also cover communal incidents in some other states.

According to the proposed package, the work of a deceased would get Rs 7 lakh. The compensation paid so far would be double.

According to the proposed package, the kin of a deceased would get Rs 7 lakh. The compensation paid so far would be deducted from the amount.

The move will come as a relief to several families which have received hardly any assistance from government. The 'har saavak' who died in the Godhra train blaze will also be entitled to the compensation.

spite suffering loss of their near and dear ones and property.

An NHRC report brought out recently had identified 5,307 internally displaced families that have been resettled even four years after the riots. The report said these families have been staying in 47 semi-permanent camps in Ahmedabad, Gandhinagar, Sabarkantha, Panchmahals, Dahod, Anand, Cheda, Vadodara and Mehsana.

Sources said the Centre is expected to dispatch teams shortly to study these camps which lack basic infrastructure and suggest ways of resettling those suffering from loss of their near and dear ones and property.

Sourav Mukherjee Times News Network

Ahmedabad: Little loved Husain, all of 14, today has nobody to turn to in big bad Gujarat. Nine family members, including his parents, have been "missing" since the riots broke out in the state from February 28.

Where could they be now? Were they killed by the mob? Could they have escaped leaving the young one behind? Such unanswered questions shroud the whereabouts of no less than 300 riot-affected persons in Ahmedabad alone.

Loved accounts, "I had somehow managed to escape when a mob set fire to my neighbours' home. My father was a tailor and we used to live in Naroda-Pada. Many of our acquaintances tell me that my parents along with six others were among the victims of the Naroda-Pada carnage."

But till date neither

seen the bodies nor has he got any post-mortem report to stake claim for the promised Rs 1.5 lakh death compensation.

The organiser of one of the largest relief camps in city at Shah-e-Alam Roza, Mohsin Qadri, says, "We have submitted a list of such ambiguous cases to the collector. Of the 127 missing cases reported only five have received death certificates or post-mortem reports to show. At the Darikhani Ghummat camp in Shahibang the situation is much the same. The kin of 104 riot victims registered till date, only a few have managed to establish their

Are those 'missing' in riots dead?

Khan, says, "We are still compiling details on those who are missing and those who have not got compensated. The number of those termed as missing is far outstrips those with documents."

Modinabano Hussain is beside herself with grief. She was married just for 45 days before riots tore her life apart. Today, as she faces a wound on her stomach, she is faced with a dilemma. Neither can she presume her missing husband, Arif Hussain, is dead, nor can she carry on life hoping that he will come back some day.

Her sister-in-law Bilkis Bano, who used to reside in Naroda four family members. Two brothers-in-law, my mother-in-law and my husband have been missing since February 28. Though I am sure they are no more I do not

hospitals have given more pain than relief."

The Sangpur area in the outskirts of city too has many such cases of missing persons. Rabia Bibi Badami to tell a tale of seven families members who seem to have disappeared from the face of earth.

Tears wet her cheeks as she pointed at the names in the list of missing riot victims — Nadim Hussain Sheikh (4 months), Arif Hussain Sheikh (6), Sabir Hussain Sheikh (6), Saminabano Sheikh, Zubaida Banu Sheikh (28), Sabir Hussain Sheikh (32) and Kudrat-bibi Sheikh (55).

Her husband, Faruq Badami, who firm says, "Their status is a mystery for us. We did not even see the post-mortem report by any of the hospitals. We are still tracking down people who might have witnessed the carnage and at least tell us what fate befell our dear ones."

'No quake-type deal for riot-hit'

Gandhinagar: The Gujarat government on Tuesday rejected the demand by the National Minorities Commission (NMC) to give the victims of the communal riots a special package.

Three NMC members, vice-president MP Punito, Dilip Padgaonkar and Zoya Hassan, concluded their three-day fact-finding mission on a complaint made by a human rights group that said over 5,300 internally displaced victims of the 2002 communal riots had still not been properly rehabilitated.

The team, which met chief minister Narendra Modi, chief secretary Sudhir Mankad and other senior state officials after visiting 17 NGO-run camps for the victims in Ahmedabad, Dahod, Sabarkantha, found and Vadodara, found a "difficult" and even four years after the riots, they were not being provided with basic roads, amenities like drinking water and electricity.

A senior state bureaucrat, who participated in the meeting, said, "The NCM referred to the Status of Communal Riots in Gujarat, which specifically talked of a special package of the type given to 200 quake victims. Chief secretary said the two situations were totally different. However, he did agree to look into the problems of rehabilitation, if any."

Notably, then prime minister A B Vajpayee, in a letter to Congress president Sonia Gandhi way back in 2002, had referred to providing quake-type package to the communal riot victims who had

been displaced from their place of stay. "Vajpayee's statement was in response to Sonia Gandhi's request for his personal intervention in providing a relief package to the riot victims of Gujarat," recalled Opposition leader Arjun Mohiyadina.

The NMC also wanted a government response to the idea of having a national policy on the internally displaced, saying whether they were of terrorist-like origins, the victims or people in the North-East, they all should be treated in a more humane way. "The government disagrees with our demand. We made it clear to the NMC that it was not possible to equate communal riot victims with the displaced of Kashmir or the North East."

NMC LETDOWN

We made it clear to the NMC that it was not possible to equate communal riot victims with the displaced of Kashmir or the North-East. Riot victims cannot be called internally displaced.

Senior Bureaucrat

in many in Gujarat had returned to their previous homes. "The need is to find out why others in the same camp are not returning. The reason may lie elsewhere, the bureaucrat said, adding, "One has to see whether these victims, in accordance with the United Nations definition cited in the Status Report, if yes, why have Hindus displaced from Ahmedabad's Kalupur and Dardapur not been called internally displaced."

Talking to newspapers, Padgaonkar said, "The discussion was quite constructive. The CM and the government gave the riot victims being taken care of and how they were being taken care of under state and central schemes." Added Hasan, "We told the government that its support to the victims was inadequate."

Relief camp plea: HC raps petitioners

EXPRESS NEWS SERVICE AHMEDABAD, APRIL 19

THE Gujarat High Court has rapped Muti Shabir Ahmed Siddiqui and eight others, who had moved an application alleging improper facilities and Government apathy at relief camps, for not being present in the court when the matter came up for hearing on Friday.

Justice P B Majumdar in very strong words observed that "it is a matter of regret that the petitioners are making serious grievances and when the matter is fixed for hearing, nobody is present to assist the court. While the counsel for the petitioners had filed a sick note, the petitioners were absent during the proceedings."

Earlier, Siddiqui had moved the High Court praying it to direct the

State Government to ensure adequate supply of food, drinking water, medicines and hygienic conditions. It also requested the court to direct the Government to pay in direct the relief camps an amount of Rs 50 per day as miscellaneous expenditure. It also prayed to the court to appoint an independent committee comprising non-political members in ensuring progress achieved at the camps and proper conditions at the camps from closing down the relief camps from May 31.

When the matter came up for hearing, Government Pleader A D Oza and Advocate General Kamal Trivedi submitted before the court a detailed report prepared by Assistant Government Pleader R C Kodkar after visiting the relief camps.

According to the report, the Government had ensured supply of food and distribution of each daily while the local administration had been entrusted with the job of supplying drinking water and maintaining and portable toilets. This is being taken care of regularly without any impediments, the report stated.

The court said that the petitioners have moved the court on a basis of less allegations. As a final check to hear the grievances of petitioners, the court has fixed the next hearing of the matter on April 22 while ordering their personal presence and warning that "if it is found that the petition is filed absolutely without any basis, appropriate decision will be taken for imposing substantive costs."

701-1504
GUJARAT

BJP slammed for hostility to victims

'5,307 Riot-hit Families Remain Displaced'

Rajiv Shah | TNN
Gandhinagar: A report prepared at the behest of the National Human Rights Commission (NHRC), is giving fillets to the Narendra Modi government. The report has identified 5,307 'internally displaced' families who have not been resettled even four years after the 2002 communal riots.

These displaced persons to their original habitat or supporting the existing semi-permanent shelter for long-term rehabilitation. "Even if we go by the government claim, total damage to property dur-

efits, while in cases Gujarat common where the government cases down internally displaced but public. Calling the campaign of Gujarat of M citizens the same ing principles nally displaced to under one of the three categories — those forced to flee their habitual residence or "habitual residence".

STILL ON THE MOVE

District	Families
Ahmedabad	1980
Sabarkantha	1939
Panchmahals	
Mehsana	
Dahod	
Vadodara	
Gandhinagar	
Anand	
Kheda	
TOTAL	

Titled 'Status Report on Rehabilitation of Victims of Communal Violence in Gujarat', the report is now under scrutiny by the visiting National Minorities Commission (NMC), which is here on a week-long visit, which will culminate in a direct dialogue with top state officials on October 18. The report has been prepared under the direction of PGJ Nampoothiri, special rapporteur NHRC, and Gagan Sethi, member of the NHRC-constituted monitoring committee. The report says that there are 529 families in semi-permanent camps in Ahmedabad, followed by 40 in Gandhinagar, 1939 in Sabarkantha, 853 in Panchmahals, 134 in Dahod, 25 in Anand, 13 in Kheda, 98 in Vadodara and 52 in Mehsana.

The report accuses the government of "taking no initiative for either resettling or the issue of the police committing with the Dalit leader. Some 25000 people were killed during the post-Godhra

The bill, party relief committees called by Governor S S Bhambhani on Monday, the Congress Dalit leader named them in the FIR. At the same time, the Gujarat Panchayat activists, Raval was reported to have

When the Government attempted to divert the issue, Raval reportedly shot back at him, "Bhambhani, you first listen to me and then take up other issues for discussion." Raval then went on to receive threats from VHP, Bajrang Dal and the State DGP informing them about

Tears continue to flow at Shah Alam camp

TAMR SIDDIQUI
AHMEDABAD, APRIL 22

SHAH Alim, a 55-year-old man, is seen crying as he talks to other people who were affected by the riots. He says he has not seen his wife and children since they were separated in the riots.

15-year-old Samir saw four members of his family being burnt alive

Another 15-year-old boy, Samir, who was with his family in the village of... He saw four members of his family being burnt alive. He is now in a camp for survivors.

Camp for survivors

A MAJORITY-BELIEVE... The camp is for survivors of the riots. It provides medical aid and other facilities to the victims.

Govt discriminatory in relief work: Cong

Naresh Raval alleges police inaction in nabbing rioters, underassessment of damage

The bill, party relief committees called by Governor S S Bhambhani on Monday, the Congress Dalit leader named them in the FIR. At the same time, the Gujarat Panchayat activists, Raval was reported to have

RELIEF PANEL MEET

State To this, a senior official assured him that the government would pay the death compensation in such cases, after the district-level committee comprising collector, DSP, DDO and civil surgeon receives affidavits from the Gujarat Pradesh Congress Committee chief Aman Singh Chaudhary through the survey work of properties destroyed were

provided with the Z-plus security. Raising the issue of non-payment of death compensation to the kin of those who were killed in the riots, Raval complained that the relatives of the severe people burnt alive at the Old village in Kheda district were being denied compensation under the pretext that their victims' bodies could not be identified. There are several such cases across the

Vote bank politics gives a thumbs-down to rehab sites

Times News Network
AHMEDABAD: Why is the Narendra Modi government completely ruling out the possibility of resettlement of riot-hit refugees to new, safer sites? Is it vote-bank politics, more than anything else, which stands in the way of refugees and their desire to find a new home?

from the Shah-e-Alam camp, who were returning to their homes in Beharapura, met with resistance from the estranged neighbours. And yet, both the Chief Minister Narendra Modi and his chief secretary G Minister Subba Rao have completely discounted the possibility of the government identifying alternate resettlement sites, like it did on a large-scale during the earthquake, for the riot victims.

They don't want a Muslim ghetto around. For example, even though there is considerable land under control of the Ahmedabad Urban Development Authority (AUDA) in the Sarkhej where safe resettlement sites can be created, the local population would not approve of this. The Juhapura area, which is the largest Muslim ghetto in Gujarat having nearly 2.5 lakh residents, is close to this area.

Samiti member Mohammedhusen Memon, who met him here on Saturday pleading that they be resettled at a place other than their original place of living. "The CM or the state officials are still not ready to agree on the need to provide these victims with a separate piece of land to resettle," said Quadri. Officials say even in the eastern Ahmedabad areas like Rakhial, Ramol, Chundola, Pirana, Narol and Vatva, pockets could be found to resettle some of the victims, pockets of land belong to the revenue department. But even here, the vote dynamics in the Assembly constituencies would get upset.

United Nations Guiding Principles on Internal Displacement.

Introduction: Scope and Purpose

1. These Guiding Principles address the specific needs of internally displaced persons worldwide. They identify rights and guarantees relevant to the protection of persons from forced displacement and to their protection and assistance during displacement as well as during return or resettlement and reintegration.
2. For the purposes of these Principles, internally displaced persons are persons or groups of persons who have been forced or obliged to flee or to leave their homes or places of habitual residence, in particular as a result of or in order to avoid the effects of armed conflict, situations of generalized violence, violations of human rights or natural or human-made disasters, and who have not crossed an internationally recognized State border.
3. These Principles reflect and are consistent with international human rights law and international humanitarian law. They provide guidance to:
 - (a) The Representative of the Secretary-General on internally displaced persons in carrying out his mandate;
 - (b) States when faced with the phenomenon of internal displacement;
 - (c) All other authorities, groups and persons in their relations with internally displaced persons; and
 - (d) Inter-governmental and non-governmental organizations when addressing internal displacement.
4. These Guiding Principles should be disseminated and applied as widely as possible.

Section I - General Principles

Principle 1

1. Internally displaced persons shall enjoy, in full equality, the same rights and freedoms under international and domestic law as do other persons in their country. They shall not be discriminated against in the enjoyment of any rights and freedoms on the ground that they are internally displaced.
2. These Principles are without prejudice to individual criminal responsibility under international law, in particular relating to genocide, crimes against humanity and war crimes.

Principle 2

1. These Principles shall be observed by all authorities, groups and persons irrespective of their legal status and applied without any adverse distinction. The observance of these Principles shall not affect the legal status of any authorities, groups or persons involved.
2. These Principles shall not be interpreted as restricting, modifying or impairing the provisions of any international human rights or international humanitarian law instrument or rights granted to persons under domestic law. In particular, these Principles are without prejudice to the right to seek and enjoy asylum in other countries.

Principle 3

1. National authorities have the primary duty and responsibility to provide protection and humanitarian assistance to internally displaced persons within their jurisdiction.
2. Internally displaced persons have the right to request and to receive protection and humanitarian assistance from these authorities. They shall not be persecuted or punished for making such a request.

Principle 4

1. These Principles shall be applied without discrimination of any kind, such as race, colour, sex,

language, religion or belief, political or other opinion, national, ethnic or social origin, legal or social status, age, disability, property, birth, or on any other similar criteria.

2. Certain internally displaced persons, such as children, especially unaccompanied minors, expectant mothers, mothers with young children, female heads of household, persons with disabilities and elderly persons, shall be entitled to protection and assistance required by their condition and to treatment which takes into account their special needs.

Section II - Principles Relating to Protection From Displacement

Principle 5

All authorities and international actors shall respect and ensure respect for their obligations under international law, including human rights and humanitarian law, in all circumstances, so as to prevent and avoid conditions that might lead to displacement of persons.

Principle 6

1. Every human being shall have the right to be protected against being arbitrarily displaced from his or her home or place of habitual residence.
2. The prohibition of arbitrary displacement includes displacement:
 - (a) When it is based on policies of apartheid, "ethnic cleansing" or similar practices aimed at/or resulting in altering the ethnic, religious or racial composition of the affected population;
 - (b) In situations of armed conflict, unless the security of the civilians involved or imperative military reasons so demand;
 - (c) In cases of large-scale development projects, which are not justified by compelling and overriding public interests;
 - (d) In cases of disasters, unless the safety and health of those affected requires their evacuation; and
 - (e) When it is used as a collective punishment.
3. Displacement shall last no longer than required by the circumstances.

Principle 7

1. Prior to any decision requiring the displacement of persons, the authorities concerned shall ensure that all feasible alternatives are explored in order to avoid displacement altogether. Where no alternatives exist, all measures shall be taken to minimize displacement and its adverse effects.
2. The authorities undertaking such displacement shall ensure, to the greatest practicable extent, that proper accommodation is provided to the displaced persons, that such displacements are effected in satisfactory conditions of safety, nutrition, health and hygiene, and that members of the same family are not separated.
3. If displacement occurs in situations other than during the emergency stages of armed conflicts and disasters, the following guarantees shall be complied with:
 - (a) A specific decision shall be taken by a State authority empowered by law to order such measures;
 - (b) Adequate measures shall be taken to guarantee to those to be displaced full information on the reasons and procedures for their displacement and, where applicable, on compensation and relocation;
 - (c) The free and informed consent of those to be displaced shall be sought;
 - (d) The authorities concerned shall endeavour to involve those affected, particularly women, in the planning and management of their relocation;
 - (e) Law enforcement measures, where required, shall be carried out by competent legal authorities; and
 - (f) The right to an effective remedy, including the review of such decisions by appropriate judicial authorities, shall be respected.

Principle 8

Displacement shall not be carried out in a manner that violates the rights to life, dignity, liberty and security of those affected.

Principle 9

States are under a particular obligation to protect against the displacement of indigenous peoples, minorities, peasants, pastor lists and other groups with a special dependency on and attachment to their lands.

Section III - Principles Relating to Protection During Displacement

Principle 10

1. Every human being has the inherent right to life which shall be protected by law. No one shall be arbitrarily deprived of his or her life. Internally displaced persons shall be protected in particular against:
 - (a) Genocide;
 - (b) Murder;
 - (c) Summary or arbitrary executions; and
 - (d) Enforced disappearances, including abduction or unacknowledged detention, threatening or resulting in death.

Threats and incitement to commit any of the foregoing acts shall be prohibited.

2. Attacks or other acts of violence against internally displaced persons who do not or no longer participate in hostilities are prohibited in all circumstances. Internally displaced persons shall be protected, in particular, against:
 - (a) Direct or indiscriminate attacks or other acts of violence, including the creation of areas wherein attacks on civilians are permitted;
 - (b) Starvation as a method of combat;
 - (c) Their use to shield military objectives from attack or to shield, favour or impede military operations;
 - (d) Attacks against their camps or settlements; and
 - (e) The use of anti-personnel landmines.

Principle 11

1. Every human being has the right to dignity and physical, mental and moral integrity.
2. Internally displaced persons, whether or not their liberty has been restricted, shall be protected in particular against:
 - (a) Rape, mutilation, torture, cruel, inhuman or degrading treatment or punishment, and other outrages upon personal dignity, such as acts of gender-specific violence, forced prostitution and any form of indecent assault;
 - (b) Slavery or any contemporary form of slavery, such as sale into marriage, sexual exploitation, or forced labour of children; and
 - (c) Acts of violence intended to spread terror among internally displaced persons.

Threats and incitement to commit any of the foregoing acts shall be prohibited.

Principle 12

1. Every human being has the right to liberty and security of person. No one shall be subjected to arbitrary arrest or detention.
2. To give effect to this right for internally displaced persons, they shall not be interned in or confined to a camp. If in exceptional circumstances such internment or confinement is absolutely necessary, it shall not last longer than required by the circumstances.
3. Internally displaced persons shall be protected from discriminatory arrest and detention as a result of their displacement.
4. In no case shall internally displaced persons be taken hostage.

Principle 13

1. In no circumstances shall displaced children be recruited nor be required or permitted to take part in hostilities.

2. Internally displaced persons shall be protected against discriminatory practices of recruitment into any armed forces or groups as a result of their displacement. In particular any cruel, inhuman or degrading practices that compel compliance or punish non-compliance with recruitment are prohibited in all circumstances.

Principle 14

1. Every internally displaced person has the right to liberty of movement and freedom to choose his or her residence.
2. In particular, internally displaced persons have the right to move freely in and out of camps or other settlements.

Principle 15

Internally displaced persons have:

- (a) The right to seek safety in another part of the country;
- (b) The right to leave their country;
- (c) The right to seek asylum in another country; and
- (d) The right to be protected against forcible return to or resettlement in any place where their life, safety, liberty and/or health would be at risk.

Principle 16

1. All internally displaced persons have the right to know the fate and whereabouts of missing relatives.
2. The authorities concerned shall endeavour to establish the fate and whereabouts of internally displaced persons reported missing, and cooperate with relevant international organizations engaged in this task. They shall inform the next of kin on the progress of the investigation and notify them of any result.

3. The authorities concerned shall endeavour to collect and identify the mortal remains of those deceased, prevent their despoliation or mutilation, and facilitate the return of those remains to the next of kin or dispose of them respectfully.
4. Grave sites of internally displaced persons should be protected and respected in all circumstances. Internally displaced persons should have the right of access to the grave sites of their deceased relatives.

Principle 17

1. Every human being has the right to respect of his or her family life.
2. To give effect to this right for internally displaced persons, family members who wish to remain together shall be allowed to do so.
3. Families which are separated by displacement should be reunited as quickly as possible. All appropriate steps shall be taken to expedite the reunion of such families, particularly when children are involved. The responsible authorities shall facilitate inquiries made by family members and encourage and cooperate with the work of humanitarian organizations engaged in the task of family reunification.
4. Members of internally displaced families whose personal liberty has been restricted by internment or confinement in camps shall have the right to remain together.

Principle 18

1. All internally displaced persons have the right to an adequate standard of living.
2. At the minimum, regardless of the circumstances, and without discrimination, competent authorities shall provide internally displaced persons with and ensure safe access to:
 - (a) Essential food and potable water;
 - (b) Basic shelter and housing;
 - (c) Appropriate clothing; and

- (d) Essential medical services and sanitation.
- 3. Special efforts should be made to ensure the full participation of women in the planning and distribution of these basic supplies.

Principle 19

- 1. All wounded and sick internally displaced persons as well as those with disabilities shall receive to the fullest extent practicable and with the least possible delay, the medical care and attention they require, without distinction on any grounds other than medical ones. When necessary, internally displaced persons shall have access to psychological and social services.
- 2. Special attention should be paid to the health needs of women, including access to female health care providers and services, such as reproductive health care, as well as appropriate counselling for victims of sexual and other abuses.
- 3. Special attention should also be given to the prevention of contagious and infectious diseases, including AIDS, among internally displaced persons.

Principle 20

- 1. Every human being has the right to recognition everywhere as a person before the law.
- 2. To give effect to this right for internally displaced persons, the authorities concerned shall issue to them all documents necessary for the enjoyment and exercise of their legal rights, such as passports, personal identification documents, birth certificates and marriage certificates. In particular, the authorities shall facilitate the issuance of new documents or the replacement of documents lost in the course of displacement, without imposing unreasonable conditions, such as requiring the return to one's area of habitual residence in order to obtain these or other required documents.
- 3. Women and men shall have equal rights to obtain such necessary documents and shall have the right to have such documentation issued in their own names.

Principle 21

1. No one shall be arbitrarily deprived of property and possessions.
2. The property and possessions of internally displaced persons shall in all circumstances be protected, in particular, against the following acts:
 - (a) Pillage;
 - (b) Direct or indiscriminate attacks or other acts of violence;
 - (c) Being used to shield military operations or objectives;
 - (d) Being made the object of reprisal; and
 - (e) Being destroyed or appropriated as a form of collective punishment.
3. Property and possessions left behind by internally displaced persons should be protected against destruction and arbitrary and illegal appropriation, occupation or use.

Principle 22

1. Internally displaced persons, whether or not they are living in camps, shall not be discriminated against as a result of their displacement in the enjoyment of the following rights:
 - (a) The rights to freedom of thought, conscience, religion or belief, opinion and expression;
 - (b) The right to seek freely opportunities for employment and to participate in economic activities;
 - (c) The right to associate freely and participate equally in community affairs;
 - (d) The right to vote and to participate in governmental and public affairs, including the right to have access to the means necessary to exercise this right; and
 - (e) The right to communicate in a language they understand.

Principle 23

1. Every human being has the right to education.
2. To give effect to this right for internally displaced persons, the authorities concerned shall ensure that such persons, in particular displaced children, receive education which shall be free and

compulsory at the primary level. Education should respect their cultural identity, language and religion.

3. Special efforts should be made to ensure the full and equal participation of women and girls in educational programmes.
4. Education and training facilities shall be made available to internally displaced persons, in particular adolescents and women, whether or not living in camps, as soon as conditions permit.

Section IV - Principles Relating to Humanitarian Assistance

Principle 24

1. All humanitarian assistance shall be carried out in accordance with the principles of humanity and impartiality and without discrimination.
2. Humanitarian assistance to internally displaced persons shall not be diverted, in particular for political or military reasons.

Principle 25

1. The primary duty and responsibility for providing humanitarian assistance to internally displaced persons lies with national authorities.
2. International humanitarian organizations and other appropriate actors have the right to offer their services in support of the internally displaced. Such an offer shall not be regarded as an unfriendly act or an interference in a State's internal affairs and shall be considered in good faith. Consent thereto shall not be arbitrarily withheld, particularly when authorities concerned are unable or unwilling to provide the required humanitarian assistance.
3. All authorities concerned shall grant and facilitate the free passage of humanitarian assistance and grant persons engaged in the provision of such assistance rapid and unimpeded access to the internally displaced.

Principle 26

Persons engaged in humanitarian assistance, their transport and supplies shall be respected and protected. They shall not be the object of attack or other acts of violence.

Principle 27

1. International humanitarian organizations and other appropriate actors when providing assistance should give due regard to the protection needs and human rights of internally displaced persons and take appropriate measures in this regard. In so doing, these organizations and actors should respect relevant international standards and codes of conduct.
2. The preceding paragraph is without prejudice to the protection responsibilities of international organizations mandated for this purpose, whose services may be offered or requested by States.

Section V - Principles Relating to Return, Resettlement and Reintegration

Principle 28

1. Competent authorities have the primary duty and responsibility to establish conditions, as well as provide the means, which allow internally displaced persons to return voluntarily, in safety and with dignity, to their homes or places of habitual residence, or to resettle voluntarily in another part of the country. Such authorities shall endeavour to facilitate the reintegration of returned or resettled internally displaced persons.
2. Special efforts should be made to ensure the full participation of internally displaced persons in the planning and management of their return or resettlement and reintegration.

Principle 29

1. Internally displaced persons who have returned to their homes or places of habitual residence or who have resettled in another part of the country shall not be discriminated against as a result of their having been displaced. They shall have the right to participate fully and equally in public affairs at all levels and have equal access to public services.

2. Competent authorities have the duty and responsibility to assist returned and/or resettled internally displaced persons to recover, to the extent possible, their property and possessions which they left behind or were dispossessed of upon their displacement. When recovery of such property and possessions is not possible, competent authorities shall provide or assist these persons in obtaining appropriate compensation or another form of just reparation.

Principle 30

All authorities concerned shall grant and facilitate for international humanitarian organizations and other appropriate actors, in the exercise of their respective mandates, rapid and unimpeded access to internally displaced persons to assist in their return or resettlement and reintegration.

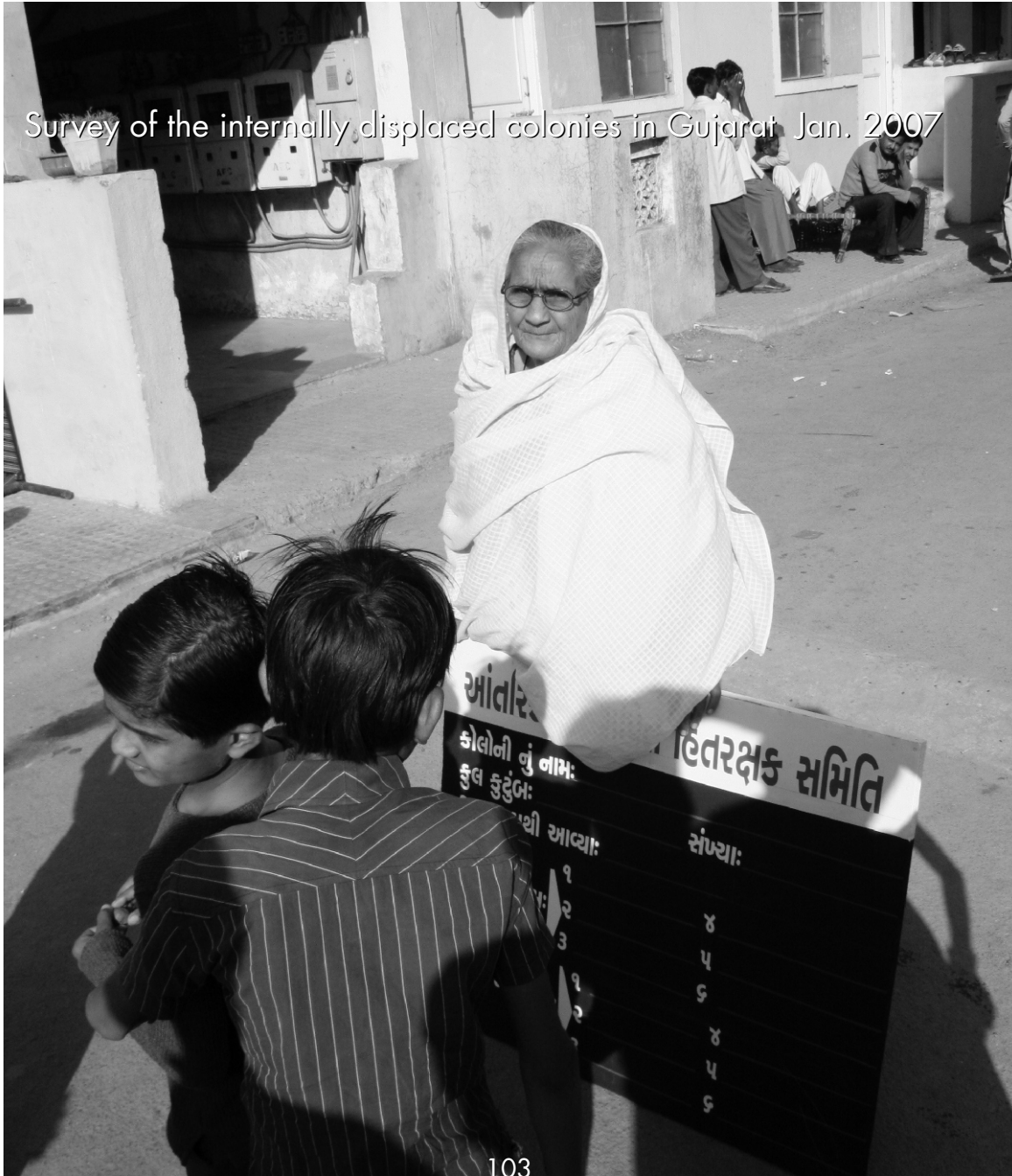
Source: Extract from the document E/CN. 4/1998/53/Add. 2, 11 Feb 98

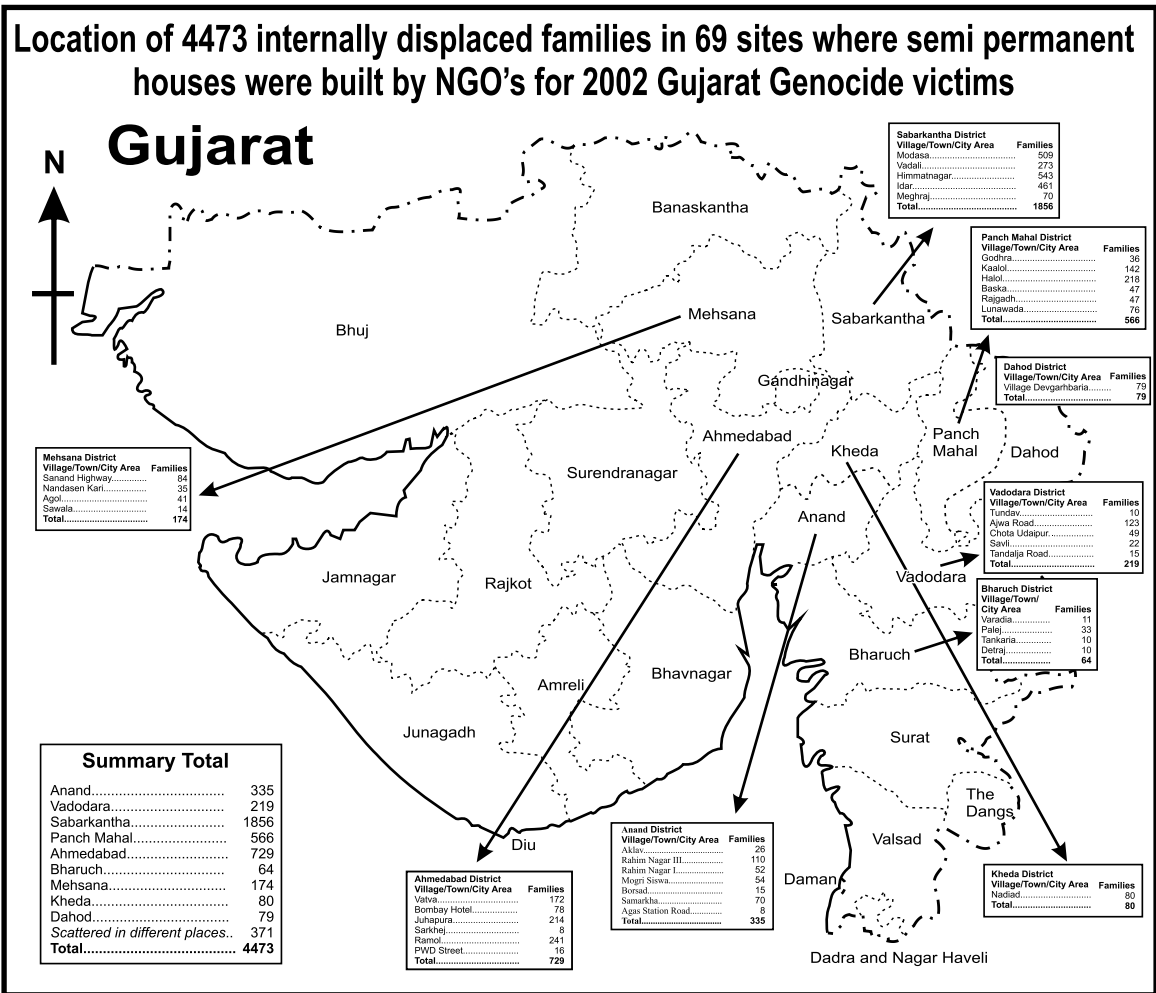


Years of Gujarat Genocide 2002-2007

5

Survey of the internally displaced colonies in Gujarat Jan. 2007





Internal Displacement a Continuum and not a Static State

Internal displacement due to ethnic violence is a phenomenon marked by a constantly shifting population as the families are in the continuous process of negotiating to return and making efforts to do so.

In the case of the approx 5000 families who are still staying in make shift habitats the same process is seen. It only belies the argument that they are people who are staying out of choice or to better their economic prospects.

Creating conditions for safe and secure return to their original place of living is the responsibility of the State and in the absence of such an enabling environment the individuals and groups who have fled keep making the effort on their own. They may have a house which they occupy in the colony, but their homes are still where they finally want to go. It is there that they have their land, bigger houses, known means of livelihood and a social milieu which together comprises of the term 'VATAN'.

After 5 years many are still in that process, they keep trying to visit their 'Vatan' and test the waters, come back at any signs of danger, Life is a precondition to Liberty.

Thus there is no perfect head count that can be established.

Every time a survey is done the head count in each colony changes and new colonies are discovered. The effort of giving them an internally displaced status should not take away their right to return. The process should help to restore dignity and the compensation is for the 'zillat' they have suffered and not an incentive to stay on.

The figures presented in the following pages have been collected over the past two months (December 2006-January 2007). Different teams of volunteers worked tirelessly to collect this data from various districts. CSJ and Anhad wish to especially acknowledge the contribution of Yusuf Bhai (Convener of the State Committee of the Internally Displaced), Vijay Jani, Manan Trivedi, Tanveer Husain, Sanjay Sharma and Rashida without whose efforts the whole exercise of updating the data would have been impossible.