

***Inquiry Report
On***

GOJRA INCIDENT DATED AUGUST 01, 2009

***Mr. Justice Iqbal Hameed ur Rahman
Tribunal of Inquiry***

***Judge
Lahore High Court Lahore***

2009



*"O you who believe! Stand out firmly
for justice, as witnesses to Allah, even
though it be against yourselves, or your
parents, or your kin, be he rich or poor,
Allah is a Better Protector to both (than
you). So, follow not the lusts (of your
hearts) lest you avoid justice; and if you
distort your witness or refuse to give it,
verily, Allah is Ever Well-Acquainted with
what you do."*

(Verse 135, Surah 4. An-Nisa)
(AL-QURAN)

CHAPTER-A.

BACK GROUND, APPOINTMENT
AND
PROCEEDINGS.

BACK GROUND, APPOINTMENT AND PROCEEDINGS.

Gojra Town, "the Olympia of Pakistan" was established in 1896 when colonization of Laylpur (now Faisalabad) started. It was given status of a notified area committee in 1904 and upgraded to "B" class in 1925. Its status was raised to Tehsil level and annexed with the newly established District i.e. Toba Tek Singh. It situates at a distance of 52 km, 38 km and 28 km from the Districts Faisalabad, Jhang and Toba Tek Singh respectively. At glance, it looks as under:

A: Establishment and upgradation

Establishment of Town	Railway line laid between Lyallpur & Gojra.	Declared as notified area Committee	Upgraded to B-Class Municipality	Declared as 2 nd class Municipal Committee	Raised to Tehsil level
1896	1899	1904	1925	1960	1982

B: Population according to Census 1998.

Area:	Muslims	Christians And Others	Total
Urban:	111319	6573	117892
Rural:	344766	32438	377204
Total:	456085	39011	495096

C: Area.

In Miles	In K.Ms	In Acres	Cultivated	Uncultivated
329	526	210381	175484	34897

D: No. of Chaks.

No. of Chaks.	Kanungoi circles	Patwar circles
129	5	43

E: Police Stations.

P.S. Nawan Lahore, Gojra	P.S. Sadar Gojra	P.S. City Gojra	Total
1	1	1	3

F: Local Government Institutions.

T.M.A	UNION COUNCIL		
	UNION COUNCILS		
	URBAN	RURAL	TOTAL
1	6	18	24

G: Worship Places.

MOSQUES	IMAMBARGAHS	CHURCHES	BAITUL ZAKAR (QADIANI)
337	19	34	6

The Episode

It was all usual as ever till late after noon of 30th of July, 2009 in Izaafi Abadi of Chak No.362/JB (village Korian) located in the area of adjoining Chak No.95/JB (Gill) 'herein after called Izaafi Abadi' Tehsil Gojra District T.T. Singh the Province of Punjab, Pakistan. The dawn replaced the night with all its grace, glamour and elegance. Moazzans gave call to the Muslims to leave the beds to bow before Almighty Allah whereas, the Bells in the Churches rang up for Service. The birds left their nests, cheered and took off in search of feed. The people had their breakfast and set themselves at work. The Sun rose in the East with all its grandeur.

No one knew that the murmuring going on for last four days between a small group of residents of Izaafi

Abadi about desecration of the Holy Quran allegedly at the hands of the participants of a ceremony of Rasm-e-Mehndi during their journey to the Bride's house in the middle night of 25 & 26.7.2009 (Saturday & Sunday) would culminate into a shameful incident of rampage of those with whom the assailants had been having congenial socio economic relations stretching on decades.

In the late afternoon of the that day, a self constituted council of arbiters comprising Ch. Abdul Ghafoor, Muhammad Afzal Shahid, and Abdullah Shaukat convened a meeting at a Market of Izaafi Abadi in which Talib Masih (father of the bridegroom) & Mukhtar Masih (father of the Bride) were to appear to explain their position about the allegation desecration of the Holy Quran. The proceedings of the meeting attracted a considerable number of inhabitants of Izaafi Abadi and from its vicinity there. The melee led to exchange of hot words between some Muslim participants and the Christians of the gathering which resulted into altercation between them, from where Talib Masih and Mukhtar

Masih somehow or the other managed their escape but the rumor mongers taking that opportunity for granted caused rumpus. Announcements disclosing the factum of the alleged desecration in the Mosques of the adjoining villages were got made as a result whereof, the Muslims of vicinity gathered at Korian Bus Stop who while lodging agitation blocked Gojra-Pansara Road by setting the tyres on fire whereas some of them entered Izaafi Abadi which by that time while sensing the danger had already been deserted by the Christians. The miscreants ransacked, set the dwellings including a church on fire and also took away the cattle belonging to the Christians.

In this way, setting of the Sun of that day besides letting the darkness to prevail exhibited rule of the roost as used to be in the dark ages. The blazes, noise, cries, fear and terror gripped atmosphere of the area, where communal harmony had never ever earlier been endangered. First half of the wretched night had to engulf bitterness of barbaric and mischievous actions of the followers of Islam (A Deen of peace) which categorically

enjoined that faith of a Muslim would remain imperfect unless he besides other faiths would believe in all the Messengers and Prophets (PBUT) of Almighty ALLAH and all the revealed Books.

The District Hierarchy of Police & Administration on having information of the unfortunate incident reached Bus Stop Korian, negotiated with the mob through curtesy of **Bilal Asghar Warraich a local MPA** and succeeded in dispersing the protesters around the midnight whereafter relief activities were started. Commissioner and RPO Faisalabad also came there but till that time, the said mayhem as submitted in **W-567/A/1-5** by Commissioner Faisalabad had affected fifty three Christian families by way of looting, burning and demolishing of fifty one houses as well as a Church.

Although the next day was Friday and nothing in shape of physical damage happened yet it did not come up as an end to misfortune because 1st August of 2009 proved to be another unfortunate day not only in the history of Gojra Town but also a black day for the Country. In the

forenoon of that day at the end of a public meeting held in Malkanwala Chowk Gojra when the people started to disperse, a mob comprising 100/150 people reached Christian Colony Gojra where they raised slogans against the Christians and started stone pelting which reportedly was re-acted indecent gestures and firing as a result whereof 3/4 members of the mob stood injured whereafter, eruption of the rumors that a number of Muslims had been bumped off by the Christians, the mob around the Christians Colony started to swell which followed exchange of brick batting and firing between the residents of Christian Colony and the protestors. The situation kept on aggravating despite making of the efforts to have control over it by the Law Enforcing Agencies present at the site. Even involvement of the political leaders, social workers and religiously influential persons to defuse the situation also did not prove to be fruitful. In the evening, the members of the mob including some miscreants entered Christians Colony where they played havoc and at the end, it was found that 96 families of

Christians Colony had been affected, 68 houses including the Churches torched, the articles worth millions had been taken away or destroyed and seven Christians had lost their lives whereas 18 i.e. 03 Christians, 15 Muslims including police men and TMO had been injured.

It was in the above mentioned background that I was appointed as one man Tribunal of Inquiry under the West Pakistan Tribunal of Inquiry Ordinance, 1969 vide Notification No. SO(IS-II)3-52/2009 which read as under:-

“GOVERNMENT OF THE PUNJAB
HOME DEPARTMENT
Dated Lahore, the 2nd August, 2009

NOTIFICATION

No.SO(IS-II)3-52/2009. WHEREAS violent protest erupted at Gojra District T. T. Singh on 01.08.2009 over desecration of the Holy Quran by the Christian Community which resulted in setting some houses of Christian Community on fire and also resulted in loss to human life and property; and

2. WHEREAS, the matter is of public importance and has attracted attention of local and international media with regard to the security situation in the country and it is expedient in the public interest to determine full facts of the incident.

3. NOW THEREFORE, in exercise of the power conferred under West Pakistan Tribunals, of Inquiry Ordinance, 1969 (II of 1969) the Competent Authority has been pleased to appoint Mr. Justice Iqbal Hameed-ur-Rehman, Hon'ble Judge of Lahore High Court, Lahore, as one man Tribunal of Inquiry to conduct the Inquiry in the aforesaid incident, fix responsibility and to furnishing detailed report with recommendations in this regard.
4. The Tribunal of Inquiry shall submit its inquiry report at the earliest.

(NADEEM HASSAN ASIF)

SECRETARY TO

GOVERNMENT OF THE PUNJAB

HOME DEPARTMENT.

No. & Date Even

1. Mr. Justice Iqbal Hameed-ur-Rehman, Hon'ble Judge of Lahore High Court Lahore.
2. Chief Secretary Punjab.
3. Secretary to Chief Minister Punjab.
4. Registrar Lahore High Court Lahore w/r to his letter No.1053/RHJC/C-1, dated 02.08.2009.
5. PPO/IGP Punjab, Lahore.
6. Divisional Commissioner, Faisalabad.
7. RPO Faisalabad.
8. DPO/DCO T.T. Singh.
9. The Superintendent, Government Printing Press, for publication in the official gazette.
10. PS to Chief Secretary Punjab.
11. PS to Addl. Chief Secretary Punjab.
12. P.S. to Home Secretary Punjab.

Sd/-

SECTION OFFICER (IS.II)

HOME DEPARTMENT."

Pursuant to it, the Hon'ble Chief Justice

Lahore High Court Lahore was pleased to nominate M/S

Irfan Ahmad Saeed, Additional Registrar P & D and Muhammad Nasir for their appointment as Registrar and Private Secretary respectively to One Man Inquiry Tribunal which was accordingly done.

Since the inquiry was to be of a general character and not against any named party whereas the rules under section 13 of the Punjab Tribunals of Inquiry Ordinance, 1969 had not been framed, therefore, I adopted a procedure of my own to ensure that all relevant material was placed before me to enable discharge of my functions. I substantially adhered to the principle of Law of Evidence as contained in Qanun-e-Shahadat Order, 1984 and abstain from recording any serious findings against any one on the basis of the material which was not relevant and admissible.

I have quoted certain Verses of the Holy Quran in English. The translations so quoted have been taken from translation by Dr. Muhammad Taqi-ud-Din Al-Hilali & Dr. Muhammad Mohsin Khan, published by

DARUSSALAM, Publishers and Distributors Riyadh,
Saudi Arabia.

On 03.08.2009 I, Mr. Irfan Ahmad Saeed (Registrar of the Tribunal), Mr. Muhammad Nasir (Private Secretary) and Mr. Umar Draz Shakir (Court Officer) reached Gojra. After declaring the Court of Additional District & Sessions Judge as Camp Office of the Tribunal, I started the proceedings of Inquiry. A proclamation calling upon all the concerned/volunteers desirous of making their statements to contact the Registrar of Tribunal of Inquiry (Mr. Irfan Ahmad Saeed) and get incorporated their names with full particulars in the Register kept in the Camp Office during the period w.e.f. 4.8.2009 to 6.8.2009 was ordered to be got published in the National Press. The local Administration was also directed to get advertised the commencement of the Inquiry proceedings through announcements in the Mosques & the Churches of Tehsil Gojra. It was also decided that the proceedings would be conducted in Camera w.e.f. 5.8.2009 on day to day basis by the

Tribunal of Inquiry in the said Camp office. The Government had appointed Mr. Aslam Hayat Sial EDO (Finance) as Co-ordination officer to facilitate conduct of the proceedings.

On 5.8.2009 at 8.30 a.m., I proceeded from Lahore to Gojra by road along with Mr. Irfan Saeed (Registrar of the Tribunal), Mr. Muhammad Nasir (Private Secretary) and Mr. Umar Draz Shakir (Court Officer) and reached the Camp Office at 11:15 a.m. where Syed Muzaffar Ali Shah, Additional District & Sessions Judge, Gojra, Mr. Aslam Hayat Sial, EDO (Finance), T.T. Singh (Co-ordination officer) and Mr. Naeem Aamir Civil Judge, Gojra received us. Commissioner Faisalabad, Regional Police Officer Faisalabad, EDO (Finance) T.T. Singh and ASP Gojra saw me in the chamber at 11:30 a.m. whereafter, I in the company of the said Officers except Commissioner, Faisalabad left for inspection of the sites of the incidents i.e. Christian Colony (Basti Eesayan), Gojra City and Izaafi Abadi Village Korian located in Chak No.95/JB (Gill). However, prior to it, I at

the request of affected community paid visit to Catholic Church, Gojra where I was received by Father Shafique, Father Shabbir and other members of their community who also accompanied us to the aforesaid places of incidents.

I visited Christian Colony Gojra at the first, where I found that almost all the houses of Christians had been burnt to ashes and reportedly eight persons had lost their lives. I was also told that the valuable house hold articles of the affectees had either been taken away or destroyed by the assailants. Torching of three Churches and the Noble Bible was also pointed out. Thereafter, I visited the place of first & second incidents i.e. Izaafi Abadi Village Korian located in Chak No.95/JB (Gill) situated at a distance of seven kilometers from Gojra Town where I also found that almost all the dwellings of the Christians including a Church had been burnt and it was complained by the Christians that their house-hold articles as well as the animals had also been taken away by the miscreants. (Maps of both the sites of incidents are annexure A & B)

Most of the affectees of both the places were very vocal about the way by which their houses were burnt to ashes. They complained of use of Chemicals used for torching their dwellings and disclosed that the fire could not be extinguished despite the best efforts made by them. Consequently, necessary directions to A.S.P./SDPO Gojra for securing of the burnt material and its transmission to the office of Chemical Examiner as well as Pakistan Ordinance Factory Wah Cantt., for the purpose of knowing about the alleged use of chemicals were issued.

Syed Muzaffar Ali Shah, Additional District & Sessions Judge, Gojra, extended valuable assistance during the said process, therefore, he was directed to keep on assisting the Tribunal of Inquiry and simultaneously a verbal request for placement of his services at the disposal of the Tribunal was made to the Registrar, Lahore High Court, Lahore which was acceded to by the Hon'ble Chief Justice as a result whereof notification No.1059/RHC/C-1 dated 5.8.2009 was issued in that regard. The said Judicial

Officer has remained associated with the Inquiry till its culmination.

I started recording of evidence on 6.8.2009, had nineteen sittings at the Camp Office where besides collecting necessary documentary evidence, the depositions of as many as **567 witnesses** were jotted down whereafter, it was decided that remaining evidence would be recorded at the Principal Seat. Statements of **13 witnesses** were handed down here in two sittings. In this way one phase of the Inquiry i.e. collection of the evidence stood completed on 5.9.2009. This report comprises **IV Chapters** as mentioned in the index.

I feel myself indebted to thank his lordship Mr. Justice Khawaja Muhammad Sharif, the Hon'ble Chief Justice, Lahore High Court Lahore, who reposed confidence in me to conduct inquiry in this highly sensitive matter of National importance and also remained kind enough to extend every facility including placement of the services of the required personnel at my disposal

which indeed helped me a lot to accomplish this gigantic task.

It will be unfair if I do not appreciate the cooperation extended by the Government. Besides excellent facilities of transport, lodging and boarding, foolproof security was also provided during the period in which the proceedings were carried out at Camp Office i.e. Court of Additional District & Sessions Judge, Gojra District T.T. Singh. A senior Officer was deputed as Co-ordination Officer to look after comfort of mine and my staff which also included improvement of the working conditions at Camp Office. I also appreciate those persons who despite their official or domestic engagements appeared and made their statements before the Tribunal of Inquiry which indeed proved to be beneficial for drawing the inferences, recording of requisite findings and making of recommendations.

Mr. Irfan Ahmad Saeed, Registrar of the Tribunal of Inquiry, Mr. Muhammad Nasir, Private Secretary and

Umar Draz Shakir, Court Officer/Reader while putting in their the best abilities and hard labour kept conduct of the proceedings smooth which facilitated me a lot to accomplish the task within the shortest possible time.

I am also highly grateful to Syed Muzaffar Ali Shah, Additional District & Sessions Judge, Gojra District T.T. Singh, who since my arrival at Gojra had been assisting me with his valuable knowledge and vast experience due to which I had been able to formulate this report in a detailed and comprehensive manner by going into the details and intricacies of the law to make the recommendations and suggest necessary amendments.

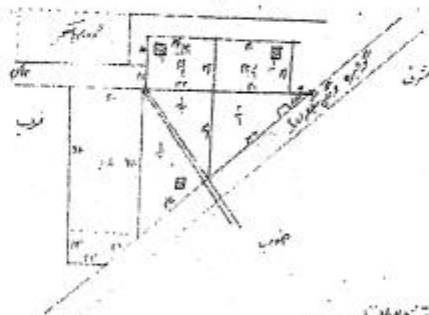
The maps of the sites of incidents submitted by Asghar Majeed Baloch DDO (R), Gojra in his statement as Witness No.321 i.e. Annexure-A & Annexure-B can be perused at the end of this Chapter.

PART-II

SITE MAPS

مساحت زمین ۴۰۰۰ متر مربع

شماره



توضیحات

ردیف	توضیحات	مساحت
۱	زمین کشاورزی	۱۰۰۰
۲	زمین کشاورزی	۱۰۰۰
۳	زمین کشاورزی	۱۰۰۰
۴	زمین کشاورزی	۱۰۰۰
۵	زمین کشاورزی	۱۰۰۰

۱۳۹۹