

THE LINK BETWEEN POLITICIANS AND SAND MINING IN AND AROUND MUMBAI

- Laika Abdulali

AWAAZ
FOUNDATION

For more information visit
www.awaazfoundation.org

Back Cover

Cover1



1

I had grown up with the dim knowledge that sand miners were responsible for some irritants in my life. There was the time I fell into a deep crater while playing I-Spy on the beach with cousins on a dim night. I remember lying dazed, the beautiful night sky moonless and dotted with brilliant stars above my head, the dim roar of the sea at ebb tide in my ears. I remember the dull thud back to reality from the excited hushed activity of the game and the strange peacefulness of the moment.

Then there was the time I took all my new friends from my new 11th-grade class to my special spot on the beach, breathless with excitement to share with them the magic of the setting sun over the intermingling waters of sea and creek. I remember turning the bend and, instead of the pristine white sand and sea washed with sunset colours of orange and purple, finding instead, a line of bullock carts, with deep black gashes where their tracks had cut the white sand to bits and churning water muddy with sand roughly hauled into the waiting carts.

At that moment, I determined to do what I could for Awaaz Foundation's campaign against sand mining, which was struggling against an unresponsive government through the courts and through advocacy programs. When my mother was attacked for the second time in 2010 and narrowly escaped with her life, I knew I had to discover for myself the reason why, after a suitable interval of shocked rhetoric from all concerned, her attackers always seemed to get away scot free. I was lucky to receive a grant to investigate the link between politicians and sand mining in and around Mumbai.

I started my investigation with a visit to sites where sand mining was known to happen. I was aided by my periodic involvement with Awaaz Foundation, the NGO headed by my mother where I have been volunteering since high school.

My first visit was to Bankot Creek in Mahad, the site where my mother nearly lost her life 2 years ago. I retraced her steps, hearkening to her experience, with much more caution than she had shown. I travelled the deserted mountain road where she was chased

2

by two monstrous vans in a dramatic life and death chase, at a leisurely pace, dressed as a casual tourist. I did not meet with Mr. Naseer Jalal until after my 'tourist' visit was over and I had seen for myself that her trauma had some value after all, having halted in its tracks the massive undercover sand mining operation which used to have a stranglehold in the area.

Naseer Jalal, an unlikely hero, was a young Muslim man in traditional skull cap and proudly showing off his chicken shop in a small shanty settlement on the outskirts of Mahad. I met with him in his chicken shop, surrounded by blood and gore from the squawking caged chickens and trying not to gag at the stench and evidence of wholesale slaughter. A single chicken feather on my chair did not lighten my mood. Naseer Jalal told me his unforgettable life story.

He talked of a childhood near the idyllic Bankot Creek. He talked of the beauty of verdant mangrove forest alive with every kind of creature, long lazy summer days spent splashing in the creek with friends, accompanying his Kohli fishermen parents on long fishing boat trips, the thrill of the good catch, and the feeling that it could never end. I remembered with longing, my own childhood at Kihim Beach, lobster fishing on the rocks with Kohli fishermen wearing nothing but a miniscule loin cloth, the sun beating down on me in hot waves and the sound of the sea.

Naseer talked on, of the rise of some ambitious persons of the area, who realized that sand was a precious resource in the building boom of nearby Mumbai, and the sure realization that for anyone who had the audacity and guts to take for himself that which lay there, wasted, could make it big. He talked of the split in the village and how those who longed for the old, un-spoilt days back were ruthlessly trampled upon by their former playmates. He talked of how they collectively lost their fishing livelihoods and saw their villages fall into chaos by landslides, lack of fishing in the now churning creek waters slick with diesel, and other causes directly related to industrial grade sand mining on Bankot Creek.



Naseer told of the even more devastating split in his own family when his own brother became a sand miner. By now, a feeling of gloom had settled on our talk. Evening was nearing, with long shadows. He told me how these young ambitious individuals from his and from other villages, who had first sought patronage from established politicians to protect their fledgling illegal businesses, moved to the big city of Alibag, and, confident in their newly found riches, overthrew their erstwhile protectors, steadily acquiring political clout for themselves. Once they were firmly ensconced as the official elected representatives for their respective areas, their greed knew no bounds.

Now at last, the downtrodden ones, facing complete ruin and led by Naseer, had decided to take a firm stand and to reclaim whatever of their land they could, by supporting Awaaz Foundation's public interest litigation in court and learning how to pursue public interest litigation on their own. The complete absence of sand dredgers on Bankot Creek during my visit, ravaged still by years of misuse but on the path to recovery, gave me a glimmer of hope that all was not yet lost.

I visited Navi Mumbai, another area where

sand mining activity had stopped suddenly following a series of press exposes and public interest litigation filed by the NGO Janhit Manch. It was alleged that close relatives of Ganesh Naik, at one time the Environment Minister of the State of Maharashtra had actually owned the illegal sand mining business and enjoyed the Minister's favour to protect it. Piles of sand still lay, on top of and destroying mangroves, and abandoned cranes dotted the landscape. It looked like the unexpectedly abandoned industrial operation it was, eerie and still. [Annexure A-News Reports on Ganesh Naik's involvement in sand mining](#)

My next visit was to the Vasai - Virar Creek, accompanying an Awaaz Foundation delegation. All of us were nervous. Although my mother believed the people we would meet would be 'friendly' sand miners - she had known Nandkumar Pawar for some time, she said, - we feared the consequences of any misstep in this area presided over by Hitendra 'Bhai' Thakur, a politician with numerous pending serious criminal charges to his name. We thought of Navleen Kumar, a woman activist who was murdered, leaving behind two young children sometime in 2002. We knew this as a case where no one had been brought to justice though conjecture was rife that her activities including 'interfering' in land acquisition of large tracts of tribal land were the likely cause. [Annexure B - News Reports on attacks on activists including Navleen Kumar](#)

Recent accounts of murders all over the country by the newly risen 'sand mafia' and of a threat to a Government officer at gunpoint by an elected representative of the people, their guardian Minister, near Mahad, did little to embolden us. [Annexure C-News of attack on tehssildar \(Government Revenue Department officer in charge of regulating sand mining and magistrate of the district\) by a Nationalist Congress Party leader](#)

Nandkumar Pawar and his father in law, a king pin of the sand mining trade of the area, met us at their home. In a tribute to the close knit family bond of the Kohli community, the father in law said he was willing to talk to us. Everyone knew, he said, Nandkumar was a maverick, passionate about the environment. Though his entire family was

dependent on this business, he would still make such an unprecedented request to bring us, the 'enemy' here, and under no false pretenses either. He beamed at Nandkumar as he said it and did his best to assure us he had no violent intentions and to put us at ease. By the time tea was served by Nandkumar's wife, we all felt a little better.

Nandkumar's father in law spoke vehemently of our 'joint' crusade against the recently introduced suction pumps, which could gobble up sand at astounding rates and were driving their 'traditional' sand dredging practices to bankruptcy. He seemed confident that under his leadership, and counting on the unified stand of their village, they would succeed in keeping the intruders out. One major concern was of their local political representative changing his affiliation to favour the suction pump owners over the rest of them.

His very real fear of being driven out of business, his bitterness at the apathy of law enforcers to appreciate their plight and the collusion he alleged between politicians, police and administrative officials was referred to again and again. Finally, he guided us to a spot where he said we would be on our own as it was too dangerous for even them to accompany us as it was the domain of suction pump owners.

We hesitated. Frightened, we nevertheless instructed our driver to take us into the heart of the illegal activity, further north on Vaitarna Creek. Once again, we adopted the guise of vapid tourists from Mumbai, lost, but looking to buy land in the area. Under this guise, we walked right into the lions' den, camera happy, stopping every now and then to ask for fictional land for sale, giggling and laughing hysterically. We managed to get some excellent still and video footage of sand mining with suction pumps at the foot of a railway bridge, the main line north out of Mumbai, with a train running along it every few minutes. A nearby road bridge had already collapsed once a few years ago, we knew, but the authorities turned a blind eye to the possibility of extensive sand mining damaging this one and the possible catastrophic consequences to this essential railway line. [Annexure D - Photos of site visit on Awaaz Foundation website](#)

I revisited Kihim Beach, where the whole story started for me. The difference the years had wrought on Kihim Beach was immediately apparent. Gone were the fishermen casting their nets at the spot where I had taken my 11th grade friends. Instead, the turmoil of regular sand mining was apparent with a changed, ragged topography, the rough quality of sand, and disappearance of the little shells I had loved to collect.

With desolation in my heart, I visited the nearby Awas, Thal and Nandgaon Beaches. Although I was not familiar with them as I was with Kihim, the evidence of bullock carts loading sand at Nandgaon, coconut trees fallen grimly across the beach with dead roots pointing defiantly towards the sky, rugged cliffs of crumbling sand where the level of the beach had dropped over 20 feet through erosion, and heaps of sand ready for sale lying all over the village told their own story.

The largest heap was at Chondi Village, the turn off for Kihim from the main road. I saw a shop, one of the largest of the village, with a large shiny banner resplendent with portrait of the local ruling party representative and former Member of the Legislative Assembly. Madhukar Thakur, at his nearby 'construction material' shop.

I already knew through Right to Information, that this man's son, Umesh Thakur, had pending criminal charges against him in the local Magistrate's Court for illegal sand mining, that he was the first accused for physically assaulting my mother in May 2003 when she tried to stop his trucks from carrying away illegally mined beach sand, a case which was under appeal in the local Sessions Court. I knew that Madhukar Thakur himself had a pending criminal case against him as owner of the illegal sand mining business in the Bombay High Court.

I spoke with Viju B, a Times of India journalist who had been attacked along with my mother and Naseer Jalal at the fateful 2010 visit to Mahad. This was the second time she was attacked, this time with the intention to kill. Viju kept repeating over and over how my mother saved his life that day. Viju, now a senior environmental journalist and more determined than ever after the attack on his life, narrated the incident I already knew well and filled me in on details I had not known of.

On a hot summer day in March 2010, Viju and my mother, along with a photographer, decided to visit Mahad and look for evidence of illegal sand mining which





could be used for public interest litigation of Awaaz Foundation and for a story for the Times of India. This was the first time that anyone had tried to document the existence of such activity in the country, and it was an important breaking news story for him as a journalist. Mahad was well known as an idyllic picnic area of beautiful thick and isolated jungle.

Naseer, who they met for the first time on that day, assured them that there was no danger. He took them on a boat trip on Bankot Creek where they got close to the mechanized dredgers and took photographs. Past the lazy peaceful stretch of creek visible to the occasional road traffic, around a bend of the river, an industrial township seemed to have miraculously transported itself and activity was frenzied, churning up masses of black sand on a massive conveyor belt to the overloaded barges. On their way back, their main concern was to get back in time for Viju to file the story that day and he was in constant touch with his editors.

When they got into the car, my mother's sudden conviction that she should drive rather than the hired driver may have been expedient, given the hurry they were in, or may just have been the premonition which saved their lives. She was trained to drive over mountainous roads at high speed by her rally driver husband, my father. When they were chased through the deserted winding road in a terrifying high speed chase by irate sand dredgers, they held the lead for enough time to get out of the lonely area and onto a main road before a truck deliberately crashed into them from the front in an attempt to drive them off a bridge to the turbulent river 100 feet below. My mother's presence of mind and driving skills had not only ensured they made it through the 15 kilometers of lonely road, but ensured evasive action during the 'accident' resulting only in damage to the car, and no loss of lives. The 'accident' according to Viju, did more to bring illegal sand mining to the national public consciousness than all the dry facts and figures and court cases which I had helped work on during my volunteering stints with Awaaz.

This time, too, a local politician's son had been involved, was present at the accident site, and his mother, Meenakshi Thakur, then ruling Member of the Legislative Assembly of the area, rushed to the police station in Viju's presence to defend her son from the charges of attempted murder against him. [Annexure E - Viju's piece on the Times of India Blog site](#)

I pored through the voluminous Right to Information documentation received from, the Alibag Police. I needed help translating the documents written in difficult and often indecipherable Government-style Marathi.

I compiled the available records of members of the now established 'sand mafia' and their political linkages. The police have maintained a detailed record of the changing political affiliations of the various players and their rivalries. Although reluctant to act on the information since these people are now also their political bosses, the trail is perfectly clear. The extent of political power enjoyed by the illegal sand dredgers was as clear from this paperwork as their muscle power was apparent from their two encounters with my mother and the news stories abounding of serious crimes by the 'sand mafia'.

The rival politicians Madhukar Thakur and Meenakshi Patil have been named in official police reports as owning large sand mining business which were creating law and order problems in the district. Various other politicians at different levels of seniority were also named as were the political parties they were affiliated with, cutting across political party lines. [Annexure F - Relevant portion of Police Report translated into English](#)

I looked up the mandatory affidavits disclosing criminal records of politicians while standing for election to a public post, compiled by the Non Governmental Organization 'ADR' for their campaign 'National Election Watch'. Listed against Hitendra Thakur of Vasai - the area I visited to meet with Nandkumar Pawar and his relatives



- when he contested the 2004 election for the Member of Legislative seat were numerous serious charges including, dacoity, bribery, rioting and 'voluntarily causing grievous hurt'. Little wonder we had been frightened. Against the name Ganesh Thakur, whose relatives used to own the sand mining business I visited in Navi Mumbai, were listed 'dishonest misappropriation of property' 'criminal breach of trust by a public servant', 'dishonestly receiving stolen property', and 'cheating with knowledge that wrongful loss may ensue to persons whose interest offender is bound to protect'. [Annexure G - ADR 'Full Report of MLA's with Criminal Pending Charges'](#)

Although it is not surprising, under present conditions, that the average citizen pretends not to notice large scale illegal activity even when it is right under his nose, I am really amazed to discover that even the Police are so afraid to act. Nothing else could explain the amount of information available and the lack of action taken on any of it, in spite of repeated human rights violations including murder. [Annexure H - News report on murder of Indian Police officer by the sand mafia](#)



One definition of 'mafia' from the Oxford Dictionary is 'any organized group using extortion and other criminal methods'. The clear political linkages crippling the very police and administration mandated to control law and order fulfill every definition of the mafia. It is clear that well established linkages ensure that the illegal activity may continue while the bureaucracy looks the other way or actively colludes with the miscreants and that these linkages, being profitable to all concerned, can only be broken through an external factor.

My research included meeting people on all sides of the sand mining equation with varied viewpoints, inspection of official and unofficial documentation, helping to generate new primary data through my volunteering with

Awaaz, and compiling the conclusions on its impacts on human rights, the environment, livelihoods and corruption. This research project has only fuelled my passion and made me determined to play a further role to help mitigate some of the ills facing my country. I am still looking to find myself in this role.

Laika Abdulali

18th August 2012

Annexure A – News Reports on Ganesh Naik's involvement in sand mining

<http://mobiletoi.timesofindia.com/mobile.aspx?article=yes&pageid=9§id=edid=&edlabel=TOIM&mydateHid=24-10-2009&pubname=Times%20of%20India%20-%20Mumbai&edname=&articleid=Ar00901&publabel=TOI>http://articles.timesofindia.indiatimes.com/2006-09-08/India/27821384_1_navi-mumbai-environment-maharashtra

http://articles.timesofindia.indiatimes.com/2009-04-02/mumbai/28029526_1_illegal-sand-mining-sindhudurg-crz
<http://mobiletoi.timesofindia.com/mobile.aspx?article=yes&pageid=9§id=edid=&edlabel=TOIM&mydateHid=24-10-2009&pubname=Times%20of%20India%20-%20Mumbai&edname=&articleid=Ar00901&publabel=TOI>

Annexure B - News Reports on attacks on activists including Navleen Kumar

http://articles.timesofindia.indiatimes.com/2010-01-10/mumbai/28118792_1_activists-anandini-thakoor-sand-mining-mafia

Annexure C - News of attack on tehsildar (Government Revenue Department officer in charge of regulating sand mining and magistrate of the district) by a Nationalist Congress Party leader

http://articles.timesofindia.indiatimes.com/2012-04-03/mumbai/31280601_1_sand-mining-tehsildar-sand-mafia

Annexure D - Photographs of site visit on Awaaz Foundation website

http://frink.mechighway.com/~awaazfou/Awaaz_Foundation/Sand_dredging/Sand_dredging.html

Annexure E - Viju's piece on the Times of India Blog site

<http://blogs.timesofindia.indiatimes.com/Second-Nature/entry/creeks-and-rivers-up-for>

Annexure F - Relevant portion of Police Report translated into English

Annexure G - ADR 'Full Report of MLAs with Criminal Pending Charges'

Annexure H - News report on murder of Indian Police officer by the sand mafia

<http://www.ndtv.com/article/india/illegal-mining-flourishes-in-madhya-pradesh-even-after-ips-officer-s-murder-186938>