

PORT AND CRIME

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(Draft Only)

Section I: Routine or Rarest of the Rare?

Case 1

RPS Kahlon, the Chairman of Kolkata Port Trust, was arrested after he allegedly accepted a bribe of Rs. 20 lakh in a five-star hotel in Kolkata on 9 March 2016. The police further alleged that this was not the first time that Kahlon “had come under the scanner over the past few months.”¹ The bribe was given by a Jagtap Deoji who was into container business. Initially the duo was remanded in police custody until 17 March 2016 after which they were removed to jail custody. Predictably Kahlon’s lawyers were crying foul play.

On trying to dig into this case we found two distinctly different version of who the real Kahlon was. One group of people describe him as a polite but strict officer. As the chairman of the Kolkata Port Trust, it was said that he took a number of “fearless steps,” of which one was to foreclose and remove the studio of a well-known film producer Srikant Mohta from the Brace Bridge area. The Calcutta High Court subsequently upheld the decision taken by the Kolkata Port Trust. Since Srikant Mohta was close to West Bengal Chief Minister Mamata Banerjee, a group of people were of the opinion that Kahlon was a victim of foul play.² They alleged that this arrest was politically motivated. Kahlon, they said, was a nice man who had been victimised because of his opposition to Mohta. That is the reason why the state police did not involve the CBI before taking action against Kahlon. Even after Kahlon was arrested he was kept away from the surveillance of the press.³

The other group of people are much closer to the police in their opinion of Kahlon. They are of the opinion that Kahlon was a corrupt man. According to this group Kahlon had been systematically abusing his office for personal gains. After becoming the commissioner of Kolkata Port Trust he used to frequent the five-star hotel where he was ultimately arrested. They were of the opinion that here Kahlon would meet with different business people. Why would he meet with so many business people? Did Kahlon frequently meet with these people to extort money? What did he do with the money? Was it sent abroad through the *hawala* channels? These were some of the questions they were asking.⁴ Another newspaper speculated that Kahlon was laundering money to Australia and Southeast Asia. Apparently he was under the

radar of an Australian investigative agency. “According to the intelligence shared by the foreign agency, funds were transferred from India to Australia through three means – online transfer through bank accounts registered against fictitious companies, *hawala* and human carriers. ‘Kahlon’s money was transferred through at least one human carrier’, an officer said.”⁵

Kahlon’s case did not remain a simple case of one person’s corruption and/or money laundering. It soon assumed larger significance. It left the port far behind and hinted at “other” connections that were central to the political mews of the state. When it got tagged with issues pertaining to other countries such as those in Southeast Asia and Australia the questions asked became different. From a case that was a commentary on the character of one man it became one of a conspiracy that was meant to undermine the economic security of the nation. Internal politics, electoral politics, national security all became enmeshed in it and a port crime transformed into a debate that was much more central than a peripheral port crime. However, the crime was such that it fit in well with the port logistics. Connection with Southeast Asia is what the port is meant for. Sending money there logistically follows the route taken by legitimate business. But once marked as crime it becomes a central issue of state politics.

Case 2

The incident took place on 12 February 2013 when members of the student wing of the Congress party clashed with the student wing of the All-India Trinamool Congress that was in power in the state. It was the day for filing nomination papers in Harimahan Ghosh College in Garden Reach (Kolkata Port) area, for the upcoming students’ union elections. This is an extremely sensitive area because it is part of the dock area. It is said that the Congress goons were led by a Mukhtar and the TMCP by Md. Iqbal, alias Munna, who was a Trinamool Councillor close to the then Urban Development Minister Firhad Hakim. In this clash four student and a police sub-inspector Tapas Chowdhury were killed.

When the incident first came to people’s knowledge it was reported that Mukhtar’s men killed the SI. According to a news report “a group of 40-odd miscreants, led by a Congress worker, Mukhtar, arrived at the college and tried to force their way onto the premises. They used crude bombs to trigger panic on the premises. Urban development and municipal affairs minister Firhad Hakim alleged that when sub-inspector (special branch) Tapas Chowdhury chased Mukhtar, he opened fire and grievously injured the officer.”⁶ Then the drama started unfolding quickly as the case was taken over by the CID from the local police. A few days later news started appearing that it was not Mukhtar’s men but Iqbal’s men who killed the SI. Allegedly it

was Firhad Hakim's confusing accounts of the event that had baffled the police in the beginning. But when the police started investigating they found that the trigger that killed the SI was in the hands of a follower of Iqbal. Condemnation came in fast. The Governor of West Bengal at that time was K.R. Narayanan who criticised Hakim's efforts to shield the TMC councillor. Reported one newspaper, Hakim "has no business to do that," Narayanan said when asked to comment on the state Urban Development minister Firhad Hakim's alleged bid to shield TMC councillor Md Iqbal from arrest for gunning down Special Branch sub-inspector Tapas Chowdhury on February 12.⁷ Even the Chief Minister distanced herself from the sensitive matter.

Immediately on learning that he was the prime suspect Md. Iqbal absconded. It was said that during the first three days of the killings, Iqbal was very much present in the city. But following that he escaped. Police sources traced him to Aligarh and the CID followed the trace. In Aligarh the police were stopped from performing their duties by Iqbal's men. The CID was forced to arrest some of them for obstructing police work. However, by that time Iqbal had disappeared once again. He was later found in a district in Bihar from where he was arrested after 23 days of the killing of the SI.⁸ Meanwhile the CM had promised all kinds of support to the dead SI's family including a clerical job for his daughter and all support for his son's education.⁹

There were two FIRs lodged over the entire incident and both were lodged by men working in the RAF. The first FIR was in the name of RAF inspector Milan Kumar Dam who wrote that "a fair looking, bald headed, aged man whom everybody was calling as Chairman Saheb," and another man, "aged about 25 years, medium height and medium complexion," were the primary suspects. In the second FIR lodged regarding rioting by Garden Reach additional OC Nazrul Islam there was a more direct reference to Iqbal alias Munna. Islam clearly stated that the person responsible was called "Chairman Saheb alias Munna" and he also made Mukhtar responsible for rioting in the area.¹⁰ The killing of the SI soon took on a stronger political hue when it was alleged in the media that Firhad Hakim was doing his best to save Iqbal to the extent of obstructing justice. Once again this showed that a port crime could not be contained in the ports but its effects affected the politics of the entire region. The political rumblings became even stronger when R.K. Pachnanda, the police commissioner who was considered as capable and honest, was suddenly removed from his post.

The CID "submitted a charge sheet naming Trinamul councillor Mohammad "Munna" Iqbal as the mastermind in police officer Tapas Chowdhury's murder, the case against him was built around 122 witness accounts."¹¹ The charge-sheet was submitted in the Alipur court 57 days

after Iqbal was arrested. It immediately started a debate whether it will stand in a court scrutiny. Some said that the grounds were so flimsy that it will actually aid Iqbal to walk away a free man. According to a respondent, who was himself in the police and who wishes to remain anonymous told us that it is not at all necessary to visibly pull the trigger to be charged with second degree murder. Other police sources informed us that the evidence that the state government did not want to influence the investigations was that the police could slap murder charges on Iqbal and his allies.

An incident that started as a contest between two political parties to claim a single college soon snowballed into a riot in the port area between vigilante groups, party goons and the police. Then like an all-consuming forest fire it became a political debate over the ethics of the ruling party. What was yet to come was its transformation into Islamic terrorism in certain discourses. Three days after the killings an article from the *CovertWire* got viral. In it the author made the allegation that Indian democracy is all about appeasing the minorities by attacking and chastising the Hindus or the majority community. The author wrote that “respective governments in West Bengal, the shadow of the bloody Islamic Republic of Bangladesh, have constantly ignored the Islamic threat of terrorism and armed insurgence, for own communal vote bank purpose. The Muslim goons openly carry arms lawlessly but the law enforcement agencies never take any steps to counter it. It is probably the duty of the Hindus to die at the hands of the police and for the police to die at the hands of Muslims.”¹² Now the incident became a part of worldwide Islamic terrorism at least in certain discourses. A crime in the port area of Kolkata spread its tentacles and soon became a spectre that could not be contained within the ward borders.

Case 3

This case is probably the most ignominious and best known of all the cases of port crimes in the last sixty years. On 18 March 1984 there was news of clash between two armed vigilante groups in the Fatehpur Village Road in the Garden Reach area. One S. Singh was the officer-in-charge of the Garden Reach police station. But on that particular day there was IPS officer Vinod Mehta, the deputy commissioner of police, in the area who led a team to confront the evolving situation. When Vinod Mehta arrived in the scene police was conducting raids in the narrow serpentine by-lanes. The people in the area were also armed to the teeth and they clashed with the police, when the police fired several rounds. Two people were killed on the spot. Vinod Mehta and his bodyguard got separated from the larger group and disappeared into the narrow lanes. How they got separated is still a mystery. Did the constables refuse to follow their

superior officer? Were Mehta and his bodyguard lured into a death trap? Many of these questions remain unanswered.

Around 1:30 in the afternoon news started coming in that over the last couple of hours Vinod Mehta and his bodyguard Mokhtar Ali could not be found anywhere. The fact that such a high-ranking officer as the DC (port) has been missing in an area where a little while back there was such a fierce clash between the police and a mob of armed miscreants was a matter of great concern. Police Commissioner Nirupom Som rushed in with a huge battalion of reinforcements from the Lalbazar. Among others Ranu Ghosh, the DM of the 24-Parganas, also came in and the police began a house-to-house search. However it was hours before anything could be found. Around 4:30 in the evening there was a tip-off call that told the police that Vinod Mehta was murdered and his body was stuffed in a drain. The caller even gave the location of the dead body to the police. When the police followed that information they found a devastatingly mutilated body that clearly bore evidence of enormous torture. Mokhtar Ali's body was also discovered in a sack that was put on fire. Such brutal killing of a high-ranking police officer shocked the nation to the core. One Idris Ali was arrested as the chief perpetrator. There were four others who were arrested and of the four two were Nasim alias Naso and Lokeman Shah who were given the most stringent punishment.

For days after, newspapers carried stories as to how the DC (Port) followed by his bodyguard tried to get shelter from the marauding hordes. The mob chasing Mehta had been informed that he had tried to defile the mosque. Mehta, in fact, did no such thing. He tried to enter the house of a Mullah for security but the Mullah fearing the consequences of giving him shelter asked him to leave. Mehta and his bodyguards then took to the by-lanes and tried to escape but the chasing mob spotted them. Mehta then entered the house of a police constable and Mokhtar entered someone else's house. But that did not give them any security and soon the mob was upon them with tragic consequences.

Soon after this incident the police kept looking for retribution in the Garden Reach area. There were night raids and mass arrests.¹³ Forty people and nine children were booked. Islamic organisations in the area got together and petitioned the government to stop actions that was tantamount to blatant human-rights abuse. There were allegations that the police were molesting women in this area. One newspaper reported "the population in the Garden Reach area is predominantly Muslim and as the police raids started, several Muslim organisations and Urdu newspapers like the *Akhbar-e-Mushriq* began crying hoarse about Muslim women being molested by members of the constabulary. To take up the fight in right earnest, 19 Muslim organisations

formed a coordination committee and submitted a memorandum to the Government listing their grievances. As a consequence, even if the memorandum was not taken seriously, the Government thought it prudent not to offend minority sentiments and issued an order that there should not be any night raids.”¹⁴

Criticism of Calcutta police continued for days. Idris Ali, the chief suspect, was found dead in police custody. There were allegations that this was a hate crime and he was beaten to death by the constables. However, that did not alter the criticism that people were levelling on the police that it was no accident but cowardice that stopped the rest of the police force in Garden Reach from following Vinod Mehta into the by-lanes. Apart from suspending a few lower order policemen the state government did not initiate any administrative actions against the police. With the killing of Idris Ali even the court case against the others lost much of its steam.

The session courts awarded death penalty to both Naso and Lokeman Shah. In the High Court Shah’s penalty was reduced to life imprisonment. However, both parties appealed to the Supreme Court where Justice K.T. Thomas was on the bench. He called the 1984 Garden Reach murder a product of communal frenzy. In the case of Naso there was an eye witness that saw him dealing a fatal blow to Vinod Mehta but the case against Lokeman Shah rested on his confession. His lawyer, Shri A.K. Ganguli argued that Shah’s confession was not given voluntarily but he was coerced. Ganguli cited the case of Idris Ali to show how police were extracting confession from people that they had already deemed as guilty. Judge Thomas gave his ruling which I am quoting:

Appellants had neither any previous enmity to the victims nor even any acquaintance with them. It is admitted fact that they acted in a rage of fury blind-folded by communal frenzy. We are aware that in most of the communal riots the participants are by and large illiterate and indoctrinated people. When the literate leaders try to keep themselves away, without participating in the perpetration of crimes though, perhaps, some such persons would fan up the communal frenzy by their utterances in the minds of the ignorant poor people who in a deranged fury rush into the streets prowling for prey. It was an unfortunate plight of the people who are ignorant about the real sublime thoughts of religions that they threw themselves into the cauldron of communal delirium which was burning up to boiling point. That was a time when the minds of the rioters turned demented and no sensible thoughts would enter into them. The leaders and the society have not played their part to teach them that religions are not meant for killing fellow human beings. If ignorance had prompted people to take up cudgels in the name of

religion for indulging in carnage or murders they are no doubt liable to be convicted and sentenced for the offence committed by them. But we have great difficulty to treat such a case as rarest of the rare cases in which the alternative sentence of life imprisonment can unquestionably be foreclosed.¹⁵

Therefore, even though the judge was sympathetic to the ignorance of the “demented” rioters and so he reduced the death penalty, but considering the heinousness of the crime he had to give the sentence of life imprisonment to both Naso and Lokeman Shah. From the beginning, this case was connected to much larger issues, such as increasing insecurity of minorities. It brought into focus the polarisation of the city into new and old migrants, conflation of caste, class and religion, fractured identities, etc. It also brought forth the tension between the upper and lower echelons of the police force. The lower echelons thought that they had to serve the cause of law and order even at the cost of their lives, whereas those at the helm took the kudos. The administration including the justice system blamed everything on communal politics without exploring any other reasons for this burning antagonism. There was no discussion on depressed wages, as a result of which there were dock workers strike in 1979-80. Until 1975 there were hardly any strikes but after 1975 things started getting messier. The growing antagonism between the stevedores and the dock labourers, growth of vigilantism and the image of police as partisan, all contributed to the mistrust between common people and the administration. This case for decades remained central to people’s psyche whenever crime was discussed in the city. All port crimes of any magnitude are always compared to this particular case.

Section II: The Port and its Vicinity

This is a paper on crime and the port in the context of Kolkata. However, before any discussions on the logic of the paper let us discuss the area about which we are concerned here. The port of Kolkata is India’s longest operating port as well as its sole major riverine port. During the time of the Sutanati traders this port was operative seasonally, i.e. between September and March. The port area was developed after Wajid Ali Shah was exiled there. When Wajid Ali Shah’s son revolted against the British, Wajid Ali Shah was imprisoned in the Old Fort William. The British came to Bengal as traders and so it was under them that the port began its ascendance as an area of importance.

The port area is largely populated by immigrants who could be coerced to work as cheap labour and this phenomenon has been taking place for over a hundred years now. According to some observers “a lot of people, most of them from Bihar and Uttar Pradesh, settled in the area to

work as casual workers. The ‘sharks’ were quick and under their leadership, associations were formed. Where work was unavailable, extortions were resorted to. Labourers were quick to change allegiance from one union to the other, depending upon the situation.”¹⁶ According to our discussions with anonymous respondents in the Garden Reach area, among those living in this area were people from Bihar who had travelled to East Pakistan, where they were treated as stateless. Many of them then returned to Kolkata without any proper paper from Bangladesh.¹⁷ In the Garden Reach area there are many who live in abject poverty side by side with people who might have been poor once but now are wealthy and their money was mostly ill-begotten through nefarious activities based on the port. Many of them allegedly nurtured armed gangs for their activities. For long the Calcutta port has been closely associated with the crimes perpetrated in the city. At this point a short study of the demographic profile of the region might clarify a few issues and one of them might be an easy association of this region with crime. What makes this region so vulnerable to crime and criminals? Are there any logistical imperative for that? Once a crime is committed in this region even if it is not in the nature of “rarest of the rare” why does it assume such a central place in the city?

Table 1: Population and Literacy¹⁸

Ward No.	No. Of Households	Total Population	Male	Female	Literate	Illiterate
134	6281	35780	18730	17050	23474	12306
135	5911	33258	17553	15705	22513	10745
136	4485	21482	11022	10460	16532	4950
137	3373	19385	10507	8878	13511	5874
138	4629	28858	15581	13277	19890	8968
139	6937	42014	22225	19789	28523	13491
140	5004	30504	16074	14430	21273	9231
141	7755	41152	21452	19700	26880	14272

A ward-by-ward analysis of the port area (Table 1) shows that the population is overwhelmingly male. The men far outnumber the women within the families and in the public space. Also we are told that this is an overwhelmingly Muslim population. Without going into stereotypes if one visits the region at any given time of the day one sees an overwhelming number of men in the public spaces and the streets. Most petty businesses are conducted by men and women work largely behind scenes. Although it is also true that the port employs its share of women. The average household size in these wards is 5.6 or rather every household had between 5 to 6 people of whom there were many more men than women. Also large numbers of people living in this area do not even have the most basic literacy which makes it difficult for them to get jobs of any quality. Some of them work in household industry but for most of them the docks and the port area are their largest employees.

Table 2: Workers and Non-Workers¹⁹

Ward No.	Total Workers	Main Worker	Household Industry	Other Worker	Marginal Worker	Non Worker
134	11829	10162	406	9648	1667	23951
135	11248	9680	510	9034	1568	22010
136	7228	6505	287	6182	723	14252
137	6243	5361	860	4335	882	13142
138	10786	9774	3698	5995	1012	18072
139	15017	12355	5130	7133	2662	26997
140	11744	9935	4211	5400	1809	18760
141	14647	12186	2497	9870	2461	26505

From Table 2 another issue is clarified and that is the number of non-workers are much more than workers. Therefore, vagrant youth groups are a common phenomenon in the region. Vulnerability as a minority population is compounded by the wide scale of illiteracy and joblessness. Thus, there is availability of young men who could be hired as cash cows ostensibly for purposes of security. I am not saying that this is what happened in either 1984 or 2013 but

there was a possibility of that happening. Particularly in the case of 1984 that was a time of depression. Every other day the dock labours were threatening to strike because of low wages. Let us now explore the schools that are available for educating the young in this region and see if these could act as brakes.

Table 3: Children and Primary Schools for Them in 2009

Ward Number	Total Children	Male Child	Female Child	Bengali medium	Hindi Medium	Urdu Medium
34	3951	2038	1913	3	3	11
135	3536	1860	1676	2	4	12
136	2034	1028	1006	6	0	3
137	2318	1235	1083	1	1	4
138	3575	1815	1760	7	2	4
139	5240	2709	2531	14	0	2
140	3889	1961	1928	13	1	1
141	5383	2771	2612	19	3	4

From Table 3 we see that there is a real paucity of schools for children as late as in 2009. A few of these children might go out of the area for schools but the previous indicators portray that most of the families did not have the resources to send their children to expensive private schools. Some of the children could be in household employment but what about others. In the Vinod Mehta case 9 children were arrested and sent to juvenile homes. None of the indicators mean much individually but taken together, they indicate certain reasons why this area was perceived as crime-prone area.

To understand the crime scenario of the city why is it necessary to study the port. This is because anything criminal or subversive is often outsourced in our discourse. Where else but in ports do we get access with the outside world? Let us now come to why for understanding the nature of activities carried on in the port area it is important to have a sense of the crime scene in this area. No discourse on logistics can be complete without a discussion on crimes. The routes

through which goods and ideas move are often the same routes taken by networks and organised crime groups. The legitimate business hubs often transform into markets for smuggled goods. Sometimes even the players remain the same. According to an expert writing on organised gangs this was often true and big business might moonlight as criminal syndicate. For example Dawood Ibrahim was both a known business man and a syndicate owner. About his dual role it was written that the Bhatia syndicate sent the consignments largely made up of gold and Dawood's men ensured, "its smooth transfer to dealers in the city. Dawood was able to enjoy the status of a successful businessman in Dubai until he lost support in India as a result of a Bombay bomb blast."²⁰

There are very few writings on criminal activities in ports and docks from perspectives of logistics. Many more have been written on ports and labour unrest. Clive Emsley has recently published an article on criminal activities of British dock labour during World War II. He wrote that in "the naval dockyards of Nelson's day, vast quantities of wood, paint and nails were removed and sold, as well as being used outside the yards by the men themselves. Testimonies allege that men spent the last half hour of a working day sawing up pieces of good wood that they then took out of the dockyard gates as 'chips'."²¹ Although he spoke on crime in the docks and connected it to the development of security system in Britain he did not connect it to logistical networks. Our intention is to look at the logistics of port crimes and how that transforms the peripheral into the central question of enquiry. A port is often at the periphery of an urban logistical system, but sometimes it can transform itself into the main logistical hub for the development of the urban space. When that happens, crimes in the port also become central to the security issues of that urban space and such is perhaps true of Kolkata.

Section III: History of Port and Crimes

Crimes in the port can take many forms. It can be about crimes perpetrated by labourers who pilfer from the goods that the ships bring in which they are meant to load and unload. Sometimes the crew of the ships and the security people are also involved in these thefts. Port crimes can also be about organised gangs making entire containers disappear, causing multiple security hazards. In today's world of increasing fear over terrorist attacks disappearance of containers can be a serious threat to state's perception of its security. This problem beleaguers many important ports including Canadian, US, Australian, Dubai and Indian ports. An interesting report on Canadian port security of recent years says "Canada's Senate Committee on National Security and Defence heard testimony in private about 'ghost cans' — undeclared shipping containers that are off-loaded and driven away to destinations unknown — slipping

into the country through its ports. No one knows what is in the containers. And the Canada Border Services guards who told the senators about the mystery sea containers acknowledged they did not have enough personnel to do anything about them. It is estimated that each ship arriving into a Canadian port could have as many as half-a-dozen ghost cans.”²² What is most worrying is the idea that little is known about what is contained in these containers. But these can be considered as routine port crimes.

What is not so predictable and routine are crimes where the port acts as the backdrop. These crimes can be about issues not directly related to the docks but perpetrated in the backyards of the docks or in the port areas. Why is the port areas considered as convenient locales for such crimes? In this paper it is not my intention to list all the crimes that take place in the port area. Rather I will discuss crimes that happen in the ports but have much larger ramifications. These crimes will hopefully give us an understanding of logistical implications of why the port area becomes the site. Even when these crimes appear random there is always some logic behind why it happened at a particular logistical space. Although committed in the periphery of the city often these crimes become central to the political imaginations of the city. These are the crimes that I intend to discuss in this paper.

Let us begin our journey by visiting the pages of history. Let us explore who are the criminals from the port area that appear in IB files even before Indian independence. Let us begin with the case of a Mohammad Musa. He was born in 1920. He was obviously from a poor background and did not receive any formal education although he was very creative. He taught himself tailoring and at the age of nineteen he left for Singapore in 1939. He was in Singapore until its fall in 1942 when he moved on. Initially he became a volunteer in the Indian Independence League and then he went to Penang where he received training in espionage allegedly, as we find out from the IB files at Osman’s camp. He returned to Kolkata in September 1943 and like many of his neighbours he joined the Port Trust. It was reported in the IB files that immediately the Port Trust Workers’ Union involved him in spreading anti-British propaganda especially among the Muslim workers of the port. It was also reported that he was involved in “revolutionary activities” but never spelt out what these activities actually were. Apparently this young man created so much trouble that the military intelligence considered him as dangerous and the British government classified him as “black listed”.²³

Another interesting case that we found in the IB files was titled as “Incidents involving the use of firearms.” This happened a year after the Great Calcutta Killings. In this particular case it was reported that the Chief Presidency Magistrate had asked the Port police station to conduct raids

at 4A George Terrace, a residential quarter, on 28 July 1947. There must have been some connection of that building to the Great Calcutta Killings and so this raid was undertaken. Sub-Inspector Upendra Chandra Dey took 8 constables and conducted the raid. 4A George Terrace was occupied by a Ghulam Mohiuddin who was an MLA from Bihar. Very little is known as to why an MLA from Bihar was living in Bengal. The search was conducted in the presence of two witnesses: i) Ramzan Ali and ii) Mohd. Khalid, both tenants of 4A George Terrace. After completion of the legal formalities, the police found two guns which were allegedly used in the recent riots in Patna and also in Kidderpore and in other areas under Port police station and therefore the guns were seized. One double-barrelled gun with License No: 35314 and one single-barrelled rifle with License No. 9208 was found on the premises. However the MLA told the police that the guns had been stolen from him a few months back but he could not give any reasonable answer as to how he got those guns back and where he found them. When the police asked him why he did not intimate the police about the theft, he could not give any plausible answer. The Assistant Commissioner of the Intelligence Branch marked the man as “suspicious” and referred the case to the CID and advised that he should also be investigated in Bihar.²⁴

The next case is related to labour problems that have beleaguered the port from time to time. ASK Iyenger, General Secretary, Madras Harbour Workers Union wrote a letter to JM Kaul of Calcutta Port Trust Employees Union. In this letter ASK Iyenger attached a telegram that he sent to Pandit Nehru about the labour strike that was taking place in Kolkata. In that telegram Iyenger wrote to Nehru: “Twenty two thousand Calcutta Port Trust workers went for a strike from 5th of February for a minimum wage. No retrenchment. Example of Hindu-Muslim unity. Please intervene to settle the strike.” In his letter Iyenger asked Kaul to take initiative to talk with the leaders of the National Government at Kolkata as well as in Delhi. According to Iyenger, the new national government must be made to take some strong steps to fulfil the demands of the port workers as soon as possible. These demands included: (i) Minimum wage of Rs. 40 for workers and Rs. 80 for clerks; (ii) 3 months wages as bonus; (iii) no retrenchment. The point of retrenchment came as a prominent demand because of a retrenchment notice issued by Thomas Elderton, the Chairman of Calcutta Port Trust, on 1 February 1947.²⁵

From the IB files it is clear that the intelligence bureau followed JM Kaul’s progress over the years. They considered his position as sensitive. They also kept tabs on his relationship with other political personalities. In the IB files was a letter from Bhupesh Gupta, the CPI leader to JM Kaul. This letter, written in 14.1.57, pertained to the local elections. In it, Bhupesh Gupta advised Kaul to print election pamphlets in large numbers and simultaneously in three languages

Bengali, Hindi and Urdu to reach all the workers of the port trust. He said that the pamphlet also attracted the jute mill workers in Garden Reach area, and workers of other manufacturing agencies. Gupta asked Kaul to conduct meetings with the workers of the port secretly and try to involve them in election campaigns.²⁶

Both the imperial government and the Indian state considered people with political inclinations as threatening. Md. Musa and JM Kaul were both such personalities. Rather than petty thefts by the labourers of the port area the British and Indian administrators both considered people with radical opinion as problematic. Also from the beginning the “outside” factor was disturbing to the state whether British or Indian. Md. Musa had contacts with a world beyond Bengal and so did Ghulam Mohiuddin and Kaul. Also a peripheral port crime such as carrying arms in the port area became way more dangerous when the state could establish association between that and the larger politics of the state as is obvious from the IB reports. Perhaps the most criminal of all the offences was the radicalisation of the port labour and anyone who attempted that was considered as extremely suspicious because this was one act that impacted the entire state politics. Thus, from the beginning, port crimes did not remain localised but was considered as affecting the larger issues of state politics.

Section IV: Labour, Theft and Strike

John Connel wrote the following about the labouring class living in another rapidly urbanizing port city: “The nation’s poor have a number of common problems. They live in unhealthy homes with little or no sanitation; they are increasingly exposed to crime; they feel ignored by the state, service institutions and their own communities; their children are exposed to child labour; their children are more likely to be sexually abused by adults; they are deeply cynical about politicians and politics in general.”²⁷ From the late sixties onwards the same phenomenon was taking place among the dock labourers living in Khidderpore, Metiabruz, Wattgunje and other contagious areas. There were certain particularities about the dock labourers. Men and women from the same families often worked together in the docks. Many of them could be part of the supply chain of smuggled goods that was later sold in or near fancy market. There was growing hostility towards new immigrants who were seen as bringing the wage down as they were willing to work for less. A dock labourer’s job was never secure. There was confusion as to who employed them. As late as in 1988 there was a writ petition. “The writ petitioners namely the Master Stevedores’ Association and the Calcutta Master Stevedores’ Association have filed the present writ petition praying inter alia for issuance of a Writ of Mandamus commanding and directing the Respondents and each of them, their servants and agents to forthwith withdraw,

revoke, recall and/or cancel the resolutions bearing Nos. 62 and 65, dated September 6, 1985 and September 21, 1985 respectively and the approval granted by the Central Government and for permanent injunction to restrain the Respondents and/or their men and agents from giving effect to or taking any steps in terms of, or pursuant to the said Resolution Nos. 62 and 65 as aforesaid and the letter of approval, dated 21st November, 1985 issued by the Central Government and for other consequential reliefs in the manner as stated in the writ petition itself.”²⁸ The purport of the writ was to challenge that the Dock Labour Board could work as the employer of the labourers. Although the high court dismissed the writ it showed the uncertain world of the dock labourer. Therefore, it is of hardly any surprise that moonlighting for the dock crime syndicates might seem attractive to the labouring poor. Also people belonging to the same kith kin networks operated very closely with each other especially when families were involved in crime. In his study of crime in the work place, written in the 1980’s Gerald Mars compares people committing those crimes to some animal. Workers in the dock area who fiddled or performed thefts were called wolves because often they operated in a pack that assured complete confidentiality and that is why it was extremely difficult to apprehend them. A spectacular car theft racket, where it was obvious to everyone that insiders were involved and yet no one was caught, showed how such smuggling was done.

In December 2008 a man was intercepted in Singapore who was allegedly involved in a racket of smuggling automobiles into India. After interrogating him the Singapore officials found out that he had recently sent a beige colour Perodua car into India. The man informed that the racket went on through the Kolkata port but he did not or could not name any of the operatives in Kolkata other than the buyer who lived in Nepal and someone from this side was meant to send him the car. On getting this tip off the Singapore police informed the Delhi police, who in their turn called the Kolkata police. When the consignment reached Kolkata, the police intercepted it and informed Singapore. They had to wait for two months before a team from Singapore could come and verify that this was the same car. They were helped by the Motor Theft Squad of Kolkata who helped them to match the number of the engine to ascertain that it was the same car. The Singapore team informed their counterparts in Kolkata that before this incident at least 7 cars and some bikes had gone through the Kolkata port that was sent by the same gang. It could not be ascertained who from the Kolkata side was implicated in this because by the time investigations started it was already too late to catch anyone. When we had a discussion with police officials who wishes to remain anonymous we were told even by coercion they could not make the workers open their mouth.²⁹ When *The Indian Express* reported on it in April 2009 they called the story “International Car Theft Racket intercepted in Kolkata.”³⁰ Whereas when the

same story was covered a year later the purport of the story had substantially changed and it was more about how Kolkata was the centre of a racket spreading tentacles in South and Southeast Asia. For example when a year later *Times of India* carried this story they called it “Kolkata the hub of global car racket.”³¹ Once again a port crime was transformed into criminal activity that was not localised but had implications for the entire region and something that took place in the periphery or the port transformed itself and the criminal activity of the port assumed centrality in the city.

Perhaps a much greater crime by the dock workers from the perspective of the administration was their potential ability to strike or to verbalise the threat to strike. But for this offence they could rarely be punished. JM Kaul’s presence in the IB files for all those years show that from the early days the state was extremely ambivalent about labour leaders. The earliest attempts to regulate labour laws was not meant to give labourers a steady income but to make sure that there were adequate presence of labourers to service the docks. From time to time there were nervous declarations that agitated the city about how unprofitable the Calcutta port is becoming and why it might be closed but that closure never came. For example in 1979 the average imported cargo landed per ship decreased for all the ships (except those from the US and coastal carriers) in comparison with that of the same period the year before. The same was true of the case for export cargo. Without exception dock labourers were blamed for this state of affairs. However one expert explains how in fact “the Dock Labour Board (DLB), a tripartite body which is supposed to look after the service conditions of dock labourers, has failed miserably. Some workmen too are not blameless especially the immigrant workers who are anxious to earn more by allowing themselves to be ‘double booked’ even at the expense of their physical well-being, indeed, this tendency of labour from outside the state is nowhere more prominent than in Calcutta port.”³² This system of double booking meant that a stevedore did not have to pay two levies to the DLB but merely paid the worker his/her due. The worker on the other hand had to work for sixteen hours straight which created health hazards but they were so poorly paid that they braved it. All this was necessary for the worker and their family for mere survival.

Even as recently as 2012 there were news that traffic handled by major ports fell by 6.33 per cent and again Calcutta Port was the worst sufferer.³³ Port authorities claim that nearly 50 per cent of the workers were surplus in the Kolkata port. Also more mechanisation meant less pay for the workers. There are times when all workers decide to take a pay cut so that they can pay their out of work compatriots. Even then people call these workers extortionists.³⁴ That the workers remained a precarious lot even after the merger of the DLB and the Kolkata Port Trust is

apparent from their desperate threats to call a strike. As recent as in 2015 there was a threat of strike. One newspaper reported that:

Port and dock workers have called off the indefinite strike they had planned against corporatisation of major ports after conciliatory talks with the Central Labour Commissioner in Delhi on Friday. A copy of the minutes of the discussions between Central Labour Commissioner and port unions said that the trade unions called off the strike plan since the government assured to look into issues raised by the unions. A 10-member committee has been constituted to study the issues raised by the unions, said a spokesman, who also claimed that the Union Minister for Ports Nitin Gadkari had assured that privatisation of ports would not be carried out. Since the government has constituted a mechanism to address the concerns raised by the unions it was decided that the strike would be called off.³⁵

Striking is not something that individual workers of the port can embark on. It means days of preparation and enormous hardships. That the workers take the easier route of pilfering becomes obvious when one looks at the pending court cases. Their options for a living wage are limited and they can either join the smugglers for petty thefts because the larger ones are beyond their capacity or their non-working family members join vigilante gangs usually sponsored by the rich of their communities. Let us now consider why it is plausible that dock workers are involved in cases of theft in the port area. These cases range from goods stolen from ships to dockyards. One of the interesting cases that we found in our research was that of Shri Paritosh Bala vs Kolkata Port Trust. This was a vigilance case against officers and workers of dockyards because huge amount of railway materials were stolen from the dockyards over a period of time. Usually vigilance cases are meant to be confidential but in this case there was an RTI. The Information Commissioner (IC) one A.N. Tewari was all for disclosing the names of members of the staff whose negligence if not connivance led to this loss of public money. He said: "There is no doubt that a theft occurred of public property held in the godown of the public authority and an enquiry was ordered to decide culpability of officers and members of the staff for that theft. There is absolutely no reason why the relevant enquiry report no matter what its scope be withheld from public scrutiny." But The IC did not do so because a full disclosure would mean revealing not just the names of those who are culpable but also those who gave witness against them. In a violent space such as the port this might be a death sentence for some.³⁶

Section V: Gendered Crimes in the Port

On a Sunday in the month of January in 2014 a young woman, who worked for a store in posh shopping mall on Anwar Shah Road took a taxi with a few of her friends. Her destination was the Howrah station. Her friends got dropped in the Park Circus area and the taxi took her on to Khidderpore. Although she requested the taxi driver repeatedly to take her to Howrah station he refused and asked her to wait for a bus near a food stall and said that there are many buses passing through this road that would easily take her to her destination. While she was waiting for a bus a car with a number of young men came and accosted her. Initially they offered her a lift. When she refused and started walking away they physically pulled her back in the car. They then took a detour through the serpentine lanes of the port area and stopped the car at some point. They gagged her, stuck a knife to her head and took turns to repeatedly rape while she cried and prayed for her life. At some point in the night they gathered her broken body and dumped her near Babughat with her belongings including her phone. In a near delirious state she walked to the Howrah station and called her mother who came and rescued her from Platform 15. Her mother, who worked as ayah in hospitals took her to Howrah hospital where she was found profusely bleeding. At the intervention of the state government she was taken to the well known Belle Vue Clinic.³⁷

The next day the police were able to identify one of her tormentors. His name was Mohammad Hamid, alias Raja and the police were optimistic that soon they would be able to close the case. Meanwhile a section of the press started agitating while saying that the incident “puts a question mark on women’s safety under the Trinamool congress government that has been rocked by similar crimes in the last two years, the most recent being of a 16-year-old girl being gang raped twice and set on fire by the aides of the rape accused in Madhyamgram.”³⁸ Between discussions of how members of the State Commission for Women reacted to the incident there was a full-fledged politicization of the case. “Under this regime, a horrendous history of gang rape is being created. It only brings out the government’s inability to keep law and order under control and provide security to women,” said Leader of Opposition Surjya Kanta Mishra, of the Communist Party of India-Marxist reported one newspaper.³⁹ Meanwhile speaking to media persons “at Siliguri in northern West Bengal, Banerjee said: ‘I have ordered the administration to arrest the culprits immediately and take stringent action. None of the culprits will be spared.’ She also announced that the state government would pay for the medical expenses of the victim.”⁴⁰ Apart from the fact that this case was enacted very like that of the heinous rape of Jyoti Singh in Delhi in December 2012, this was not the first gang rape case in these labyrinthine streets of the port area. There was a celebrated gang rape case exactly in the same form in 2006 when Buddhadeb

Bhattacharjee was the Home Minister. However none of the newspapers or the media in general connected it to that case. Nor did they question the safety of women in the port area.

Two social scientists, however did such a study and created a table on the divisions of the city and how safe it is for the women. I am reproducing the table below:

Table 4: Division wise Breakup of Total Crime against Women in Kolkata⁴¹

Name of Division	2008	2009	2010	2011	2012
Central	100	107	146	198	234
South	163	189	225	152	296
East Suburban	258	261	215	163	225
North	117	120	126	116	191
Port	113	92	105	105	220
South East				134	322
South West				78	266
South Suburban				93	449

In their article Dey and Modak discuss how although rape as a crime is increasing in the entire city they still find as per police statistics it is less in the Port area. They write that molestation of women is on the rise but rape is decreasing. In order to come to an approximation of the truth we had a discussion with the women of the area. These women said they felt fairly secure but then most of them rarely left their homes unescorted or alone. Even when they went for school or work they went in groups. Further most of these women did not work outside of their homes. Their men worked largely in the garment industry, particularly the ready to wear kind and the women did embroidery and zari work.⁴² It is my conclusion that what makes this area problematic is not the numbers but the kind of violent rape and molestation of women considered as “outsiders” that take place in this site. Another notable phenomena reflected in

the 2014 case was that instead of rhetorically and spatially containing the crime in the port area discursively it became central to what was considered as insecurity of women in the region under a particular regime.

Conclusion

Our mapping of some of the exceptional and non-exceptional but symptomatic crimes of the port area reflects that at least in terms of crime the port is never peripheral to popular imaginings but rather central to it. Anything happening in the port does not stay in the port but discursively spreads like wildfire. One reason perhaps is that the port cannot be contained as its main function is disbursement. Also its contacts with the outside world make it a problematic space from the perspective of security because in administrative imagination all that is threatening to stability comes from the outside, whether it is goods or people. Therefore the role of the state is not only to tightly control such a space but also how to control a space that is allocated for all kinds of movements. Such space also becomes the hub for the recent immigrants who look upon the state as oppositional, corrupt and violent. On achieving some material power these people rely more on their kith-and-kin vigilantes and refuse to rely on the state mechanisms of security. Hence, their most spectacular clashes happen with the police. All of these go on to make this space peripheral for development but central for violence and therefore central for crimes. A general state of violence makes it dangerous for anyone who is perceived of as the other. They face the greatest intensity of violence, whether they are women or a police officer. Especially when they appear as solitary figures they are ruthlessly attacked. As the port, though located peripherally, is connected to all the arteries, so is crime. Criminal gangs or vigilantes in the port area could be connected to larger gangs or political configurations. Therefore, once the crime is investigated other connections come to the fore. These connections can be investigated or not. For example, after Vinod Mehta's death no one really questioned the role of police or politics. Very few people thought that even though S. Singh was duty-bound to protect his senior officer why he did not do so. Also how did people kill Idris in custody and with impunity? Were there any political motivations for such killings? Also Vinod Mehta hid himself in a police constable's house. What was the role of that man other than being a witness in a court? Why did he allow the marauding men to enter his space? All these questions remain for perhaps a later date.

Another connection between the port, crime and politics is money. It is a cliché that where there is big money there are bigger crimes. Money is therefore another avenue by which a port crime becomes central to the political imaginings of the people and administration. It is probably the money factor that makes the port area so politically fraught. Therefore, a simple student body

elections snowballs into a riot, albeit between groups of the same religious denomination but ultimately it is a police officer who gets killed. Is it merely coincidental that between 2012 and 2015, exactly when SI Chowdhury was being killed there were unrest in the port against corporatisation. Having learned from the Vinod Mehta murder, at least in this case the leadership did not try to shield the culprits beyond a point. Yet even then the incident was, at least discursively, connected to much larger issues such as Islamic terrorism. Therefore, we can conclude that in trying to understand crime we get a different picture of the port that is much more connected to the political economy of the city, if not the region.

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