

Refugee Review Tribunal

AUSTRALIA

RRT RESEARCH RESPONSE

Research Response Number: IND30858
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This response was prepared by the Country Research Section of the Refugee Review Tribunal (RRT) after researching publicly accessible information currently available to the RRT within time constraints. This response is not, and does not purport to be, conclusive as to the merit of any particular claim to refugee status or asylum.

Questions

1. Please provide information on the TMMK and whether TMMK members are mistreated by the RSS or other actors.
2. Please provide information on the TNTJ and whether TNTJ members are mistreated by the RSS or other actors.
3. Please provide information as to relocation issues facing Tamil Muslims from Tamil Nadu.

RESPONSE

1. Please provide information on the TMMK and whether TMMK members are mistreated by the RSS or other actors.

The Tamil Nadu Muslim Munnetra Kazhagam (TMMK) was formed in 1995. The TMMK is currently allied with the Dravida Munnetra Kazhagam (DMK) party who currently hold power in Tamil Nadu after winning the 2006 state election (DIMIA Protection Decision Support Section 2003, *The political situation and Hindu-Muslim relations in the state of Tamil Nadu*, July – Attachment 2).

RRT Research Response IND30613 of 29 September 2006 provides a thorough background to the 2006 state elections in Tamil Nadu and the alliance formed between the DMK and the TMMK. Since coming to power in May 2006, the DMK-led government has been accused of sympathising with Muslim fundamentalists. Allegations have included the DMK “caving in to pressure from parties like the Tamil Nadu Muslim Unnetra [sic] Kazhagam” (RRT Country Research 2006, *Research Response IND30613*, 29 September – Attachment 3; Shekhar, G.C. 2006, ‘TN jailbirds get spa treatment’ 8 August, *The Hindustan Times* website http://www.hindustantimes.com/news/181_1763201,000900020001.htm – Accessed 27 September 2006 – Attachment 4).

The TMMK have historically been referred to as a political organisation, rather than an active political party. However, at times the level of the TMMK’s political involvement is

ambiguous. It was formed as a result of one of its founding members splitting from Al-Umma (a Muslim fundamentalist organisation) “because he was fed up with its “cult of violence”” (Subramanian, T.S. 1998, ‘A time of troubles’ March 7-20, *Frontline*, vol. 15, No. 05. <http://www.appiusforum.com/times.html> – Accessed 27 September 2006 – Attachment 5). According to a *Rediff News* article, the TMMK’s popularity has grown as a result of “internecine quarrels within the established political leadership of the [Muslim] community”. The author illustrates that the Muslim community’s choice is now between “neo-political moderate groups like the TMMK, and the fire-spitting violence-prone outfits like the Jihad Committee” (Moorthy, S. 1998, ‘The Muslim Sena’, *Rediff News* online, 25 February <http://www.rediff.com/news/1998/feb/25islam.htm> – Accessed 12 June 2004 – Attachment 6).

In the mid-late nineties at the height of Muslim-Hindu tensions in Tamil Nadu, members of the TMMK suffered at the hands of Hindu extremists. Following the 1998 Coimbatore bomb blasts, when 13 bomb attacks took place all of them within a 12 km radius, members of TMMK were arrested and targeted by state forces, including the Rashtriya Swayam Sevak Sangh (RSS) (DIMIA Protection Decision Support Section, 2003 *The political situation and Hindu-Muslim relations in the state of Tamil Nadu*, July – Attachment 2; Siddique, Z. 2000, ‘Abdul Nasar Madani: a Muslim ‘prisoner of faith’ in Brahmanist India’, Muslimmedia website (sourced from *Crescent International*), September <http://www.muslimmedia.com/archives/special00/madani-ind.htm> – Accessed 20 February 2004 – Attachment 7).

More recently, the TMMK has attracted attention for its alleged influence over the incumbent DMK-led Tamil Nadu government. The allegations include leniency towards Muslim fundamentalists currently serving sentences for the 1998 Coimbatore serial bomb blasts, and dropping charges against Muslims accused of desecrating Hindu deities (‘TN jailbirds get spa treatment’ 8 August, *The Hindustan Times* website http://www.hindustantimes.com/news/181_1763201,000900020001.htm – Accessed 27 September 2006 – Attachment 4).

2. Please provide information on the TNTJ and whether TNTJ members are mistreated by the RRS or other actors.

The Tamil Nadu Thowheed Jamaath (TNTJ) is reportedly a breakaway group of the TMMK. The group has an existing website (<http://www.tntj.net/>) and according to this their office is based in Chennai, Tamil Nadu. Little information was found on the TNTJ apart from their regular involvement and organisation of various demonstrations. During the state elections in May 2006 the TNTJ backed the unsuccessful All India Anna Dravida Munnetra Kazhagam (AIADMK) party. The AIADMK are the major opposition party to the DMK (‘TNTJ to back Jaya’ 2006, *The New Indian Express* website, 18 March <http://newindpress.com/election/2006/News.asp?Topic=-443&Title=TAMIL+NADU&ID=IET20060318005117&nDate=&Sub=&> – Accessed 13 November 2006 – Attachment 8).

On 30 August 2006 *The Hindu* published an article describing a dispute between the TNTJ and the TMMK over the administration of a mosque in the town of Tirunelveli, Tamil Nadu. The TNTJ had apparently administered the mosque for several years. As the dispute worsened and an independent body found in favour of the TNTJ, the TMMK were allegedly

“exerting pressure on the TNTJ through the ruling party and its ally, the Dravida Munnetra Kazhagam” (‘Wakf Board takes possession of mosque; tension at Melapalayam’ 2006, *The Hindu*, 30 August <http://www.hindu.com/2006/08/30/stories/2006083010940300.htm> – Accessed 13 November 2006 – Attachment 9).

Other references to the TNTJ refer to members holding demonstrations and/or being arrested as a result of those demonstrations. In February and March this year, members of TNTJ staged demonstrations protesting against news reports aired by a local TV station, and George Bush’s visit to India. Some protestors were arrested but later released the same day (‘Protest against TV channel reports’ 2006, *The Hindu*, 5 February - <http://www.hinduonnet.com/thehindu/thscrip/print.pl?file=2006020516780300.htm&date=2006/02/05/&prd=th&> - Accessed 13 November 2006 – Attachment 10; ‘Demonstration against visit of Bush’ 2006, *The Hindu*, 2 March <http://www.hinduonnet.com/thehindu/thscrip/print.pl?file=2006030219740300.htm&date=2006/03/02/&prd=th&> – Accessed 13 November 2006 – Attachment 11).

3. Please provide information as to relocation issues facing Tamil Muslims from Tamil Nadu.

No specific information on relocation of Tamil Muslims in India could be located. However, general information on relocation issues in India has been provided.

In September 2004, the ‘Relocation in India’ standard paragraph was updated by RRT Country Research. General information on relocation in India has not changed since the update and there exists freedom of movement from one state to another, apart from some exceptions with respect to Jammu and Kashmir (RRT Country Research 2004, ‘Relocation in India’, September – Attachment 12).

Advice sought from Ms Geeta Luthra of Luthra Anand & Associates, Attorneys at Law, New Delhi in July 2006 discusses relocation in India from the perspective of an inter-religion marriage between a Hindu and Muslim. Although not directly related, the advice suggests that a person’s level of education and wealth would contribute to their experience of relocating:

A couple with a well educated [sic] would be able to relocate away from Hyderabad and there is great mobility of movement and relocation in India.

...If the couple were to relocate there is no reason that the past of the couple would catch up with them particularly if they relocate in a place like Mumbai or Hyderabad which are cosmopolitan cities and where people are hardly concerned about the past or future of their neighbour. Unlike [smaller] cities, there is a great deal of anonymity in the Metropolitan cities (Luthra, G. 2006, Email to RRT: ‘FROM MS. GEETA LUTHRA ADVOCATE’, 29 July – Attachment 13).

Data from the 2001 Census in India illustrates the percentage of Muslims living in each Indian state and union territory (Religion – Muslims’ 2001, Census India website <http://www.censusindia.net/religiondata/Summary%20Muslims.pdf> – Accessed 20 November 2006 – Attachment 14).

Figures sourced from the 1991 census displays the three main languages used in each state and territory. Apart from Tamil Nadu, Tamil is spoken in Kerala (616,010 – 2.1%); Chandigarh (5,318 – 0.8%); Lakshadweep (282 – 0.5%); and Pondicherry (720,473 – 89.2%). Please be aware that the information provided in this attachment appears only to refer to the distribution of first language Tamil speakers in India. Statistics for second and/or third language Tamil speakers could not be accessed ('Table 26: Three Main Languages in every State, 1991' 1997, Census India website <http://www.censusindia.net/cendat/datatable26.html> – Accessed 16 August 2006 – Attachment 15).

List of Sources Consulted

Internet Sources:

Google search engine <http://www.google.com.au/>

Databases:

FACTIVA (news database)

BACIS (DIMA Country Information database)

REFINFO (IRBDC (Canada) Country Information database)

ISYS (RRT Country Research database, including Amnesty International, Human Rights Watch, US Department of State Reports)

RRT Library Catalogue

List of Attachments

1. Deleted.
2. DIMIA Protection Decision Support Section 2003, *The political situation and Hindu-Muslim relations in the state of Tamil Nadu*, July. (CISNET)
3. RRT Country Research 2006, *Research Response IND30613*, 29 September.
4. Shekhar, G.C. 2006, 'TN jailbirds get spa treatment' 8 August, *The Hindustan Times* website http://www.hindustantimes.com/news/181_1763201,000900020001.htm – Accessed 27 September 2006.
5. Subramanian, T.S. 1998, 'A time of troubles' March 7-20, *Frontline*, vol. 15, No. 05. <http://www.appiusforum.com/times.html> – Accessed 27 September 2006.
6. Moorthy, S. 1998, 'The Muslim Sena', *Rediff News* online, 25 February, <http://www.rediff.com/news/1998/feb/25islam.htm> – Accessed 12 June 2004.
7. Siddique, Z. 2000, 'Abdul Nasar Madani: a Muslim 'prisoner of faith' in Brahmanist India', *Muslimmedia* website (sourced from *Crescent International*), September <http://www.muslimmedia.com/archives/special00/madani-ind.htm> – Accessed 20 February 2004.
8. 'TNTJ to back Jaya' 2006, *The New Indian Express* website, 18 March <http://newindpress.com/election/2006/News.asp?Topic=-443&Title=TAMIL+NADU&ID=IET20060318005117&nDate=&Sub=&> – Accessed 13 November 2006.

9. 'Wakf Board takes possession of mosque; tension at Melapalayam' 2006, *The Hindu*, 30 August <http://www.hindu.com/2006/08/30/stories/2006083010940300.htm> – Accessed 13 November 2006.
10. 'Protest against TV channel reports' 2006, *The Hindu*, 5 February - <http://www.hinduonnet.com/thehindu/thscrip/print.pl?file=2006020516780300.htm&date=2006/02/05/&prd=th&> - Accessed 13 November 2006.
11. 'Demonstration against visit of Bush' 2006, *The Hindu*, 2 March <http://www.hinduonnet.com/thehindu/thscrip/print.pl?file=2006030219740300.htm&date=2006/03/02/&prd=th&> – Accessed 13 November 2006.
12. RRT Country Research 2004, 'Relocation in India', September.
13. Luthra, G. 2006, Email to RRT: 'FROM MS. GEETA LUTHRA ADVOCATE', 29 July.
14. Religion – Muslims' 2001, Census India website <http://www.censusindia.net/religiondata/Summary%20Muslims.pdf> – Accessed 20 November 2006.
15. 'Table 26: Three Main Languages in every State, 1991' 1997, Census India website <http://www.censusindia.net/cendat/datatable26.html> – Accessed 16 August 2006.