

**Refugee Review Tribunal
AUSTRALIA**

RRT RESEARCH RESPONSE

Research Response Number: IND32370
Country: India
Date: 10 October 2007

Keywords: India – Tamil Nadu – AIADMK – Elections – DMK – Karunanidhi – Police protection – Hindus – Muslims – Political violence – Communal violence

This response was prepared by the Research & Information Services 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. This research response may not, under any circumstance, be cited in a decision or any other document. Anyone wishing to use this information may only cite the primary source material contained herein.

Questions

- 1. Please advise whether the AIADMK party lost the state elections in 2006.**
- 2. Are there any reports of violence between DMK supporters and AIADMK members in 2006?**
- 3. Is there any report of Mr Karunanidhi, Chief Minister and leader of the DMK and his son being removed from his house and imprisoned in 2005/2006, leading to his death?**
- 4. Are there tensions/ violence between DMK and AIADMK supporters throughout India? Are there any states immune to any such conflict?**
- 5. Is there any information about the police providing protection to AIADMK supporters, or about the prosecution of DMK members for violence against AIADMK supporters?**
- 6. What is the current situation in Tamil Nadu and other states of India between Hindus and Muslims, and in particular, are there any current reports of violence perpetrated on Muslims by Hindus? If there is, is there any indication that the state is able to protect the Muslims?**

RESPONSE

- 1. Please advise whether the AIADMK party lost the state elections in 2006.**

In the May 2006 Tamil Nadu state election, the AIADMK and its alliance suffered a defeat, losing power to its arch rival, the DMK.

Reporting on the election results, the *IndiaNews* comments that:

The DMK and its allies, including the Congress, the PMK, the Communist Party of India-Marxist (CPI-M) and the Communist Party of India (CPI), have won 163 of the 226 seats for which results had been declared. Tamil Nadu has a 234-member house. The break-up was DMK: 96, INC: 34, PMK: 18, CPM: nine and CPI: six seats. AIADMK suffered a terrible defeat, winning just 69 seats, despite aligning at the eleventh hour with two former partners of the DMK - the MDMK and the Dalit Panthers of India. The AIADMK won 60, the MDMK six, entering the assembly for the first time, and the Dalit Panthers won two seats ('DMK returns in

Tamil Nadu, Jayalalitha stunned' 2006, *IndiaeNews*, 11 May
<http://www.indiaenews.com/print/?id=7561> - Accessed 2 October 2007 – Attachment 1).

For other reports on the election results, see 'Karunanidhi to be Chief Minister for fifth time' 2006, *The Hindu*, 12 May
<http://www.hinduonnet.com/thehindu/thscrip/print.pl?file=2006051211610100.htm&date=2006/05/12/&prd=th&> - Accessed 2 October 2007 – Attachment 2; and 'DMK-led front wins absolute majority' 2006, *newindpress*, 12 May
<http://newindpress.com/election/2006/News.asp?Topic=-443&Title=TAMIL+NADU&ID=IE920060511140752&nDate=&Sub=&> - Accessed 2 October 2007 - Attachment 3).

The Indian Election Commission reports on the results as follows:

Counting of votes : 11.05.2006

Tamil Nadu			
Assembly Election Result on 11 th May 2006			
Information Available: 224/234			
Party	Lead	Won	L+W
<u>DMK+</u>	-	163	163
<u>ADMK+</u>	-	69	69
<u>Others</u>	-	2	2

In the election results reported by the Indian Electoral Commission, "DMK+" means the DMK and its alliances and similarly "ADMK+" the (AI)ADMK and its alliances ('Tamil Nadu Assembly Election - 2006 Results' 2006, Indian Election Commission website, 11, May
<http://www.indian-elections.com/assembly-elections/tamil-nadu/election-result-06.html> - Accessed 1 October 2007 - Attachment 4 and see the sources above).

2. Are there any reports of violence between DMK supporters and AIADMK members in 2006?

Sources indicate that the DMK and AIADMK clashed in 2006. While their relationship has been acrimonious as they are archrivals of each other in the state politics, it appears that most of the violent incidents were reported in the course of elections.

For a sample of reports of violence between them, see the following:

Reporting on a communal violence between the two party supporters in Ginjee, Tamil Nadu, *The Hindu* of 17 October 2006 comments that:

The police fired a round in the air to disperse clashing Dravida Munnetra Kazhagam and All India Anna Dravida Munnetra Kazhagam activists at Ginjee on Sunday night. The groups threw stones and aerated bottles and damaged vehicles and shops, forcing shopkeepers near Ginjee bus stand to put up the shutters ('DMK, AIADMK activists clash' 2006, *The Hindu*, 17 October – Attachment 5).

Commenting on a clash between the DMK and AIADMK men in Madurai, Tamil Nadu, *Sify* of 2 October 2006 states that:

Tension prevailed at various parts of the city as DMK and AIADMK men clashed over alleged disbursement of money to the voters... Police said more than 10 persons suffered simple injuries in the clashes which erupted following wordy duels...AIADMK candidate for Madurai Central constituency, Rajan Chellappa said that he had a narrow escape from an attack by DMK men...He told newsmen that the Vilakuthoon police station refused to register a case about the incident... ('DMK and AIADMK men clash in Madurai' 2006, *Sify*, 2 October <http://sify.com/fullstory.php?id=14305411> - Accessed 2 October 2007 – Attachment 6).

Similarly, *The Hindustan Times* notes that:

Tension prevailed for nearly two hours in the New Integrated Bus Stand here following a clash between the AIADMK and DMK cadres over the distribution of a booklet containing AIADMK supremo Jayalalithaa's speeches on Friday ('AIADMK, DMK workers clash' 2006, *The Hindustan Times*, 9 September – Attachment 7).

The Indian Express of 10 May 2006 reports that:

In more poll-related violence, a DMK worker was killed on Monday night when a clash broke out between DMK and AIADMK supporters at Chinnampatti in Morappur constituency in Dharmapuri district. Eight persons were injured in the clash ('ADMK [sic] worker hacked to death, Anbumani, father named in FIR' 2006, *The Indian Express*, 10 May – Attachment 8).

For more reports of 2006, see

- 'DMK booth agent killed in poll clash' 2006, *The Hindu*, 10 May <http://www.hindu.com/2006/05/10/stories/2006051004260300.htm> - Accessed 2 October 2007 – Attachment 9;
- '4 injured in clash' 2006, *The Hindu*, 27 April – Attachment 10;
- 'AIADMK, Cong MLAS clash in TN Assembly' 2006, *Sify.com* website, 26 May <http://sify.com/news/fullstory.php?id=14213661> – Accessed 20 September 2006 – Attachment 11.

3. Is there any report of Mr Karunanidhi, Chief Minister and leader of the DMK, and his son being removed from his house and imprisoned in 2005/2006, leading to his death?

No report has been located that Mr Karunanidhi, Chief Minister and leader of the DMK, and his son were removed from his house and imprisoned in 2005/2006, leading to his death.

However, sources indicate that he was removed from his house and remained in police custody in June 2001, and his sons and a few politicians close to him were arrested around that time ('Police arrest top regional politician, federal minister in bribery crackdown' 2001, *AP*, 30 June - Attachment 12; and 'Protests erupt as ex-chief minister feels the heat in Madras' 2001, *Agence France-Presse*, 30 June - Attachment 13).

Contrary to the allegation of his death, he is alive and active as Chief Minister of Tamil Nadu as at 1 October 2007 ('Karunanidhi stands by his hunger strike, 2007, *Daily India*, 1 October <http://www.dailyindia.com/show/178748.php/Karunanidhi-stands-by-his-hunger-strike> - Accessed 4 October 2007 - Attachment 14; 'Karunanidhi showers praise on Minister' 2007, *The Hindu*, 5 July

<http://www.hinduonnet.com/thehindu/thscrip/print.pl?file=2007070551880200.htm&date=2007/07/05/&prd=th&> - Accessed 4 October 2007 – Attachment 15; and
'50 Years for Chief Minister Karunanidhi in Tamil Nadu Assembly' 2007, *News Post India*, 11 May <http://www.newspostindia.com/report-113> - Accessed 4 October 2007 - Attachment 16

It was not Mr Karunanidhi, Chief Minister, but his mother-in-law who died subsequent to his arrest ('INDIA: POLITICIANS' JAILING ILLEGAL; SUPPORTERS OF ACCUSED OPPOSITION LEADER SAY ARREST PART OF VENDETTA' 2001, *Charlotte Observer*, 2 July - Attachment 17).

4. Are there tensions/violence between DMK and AIADMK supporters throughout India? Are there any states immune to any such conflict?

A search through the sources consulted has failed to locate any report of tensions/violence between DMK and AIADMK supporters throughout India. It appears that the violence is limited to the state of Tamil Nadu.

Given the facts that both the DMK and AIADMK are primarily regional parties based in the state and concerned with the interest of Tamils (Banks, A., Muller, T. et al (ed) 2007, *Political Handbook of the World: 2007*, CQPress, p.534 & 540 - Attachment 18; and Szajkowski, Bogdan (ed) 2005, *Political Parties of the World*, 6th Edition, John Harper Publishing, pp 294-5 & 292-3 – Attachment 19) (MRT/RRT Library), and all the incidents between them have happened in Chennai, Orathanadu, Ginjee, Madurai, Salemthe, Dharmapuri, Pallavaram, Tambaram or Periakulam, all within Tamil Nadu (refer to Question 2 above and the list of additional reports below), it is understandable that no report of clashes has been located outside the state.

List of additional reports of clashes/violence between DMK and AIADMK supporters:

- 'DMK, AIADMK groups clash at Orathanadu' 2007, *The Hindu*, 25 May – Attachment 20
- 'Violence in Chennai as DMK, AIADMK clash' 2005, *The Hindustan Times*, 19 April – Attachment 21
- 'Sporadic incidents mar polling' 2004, *The Hindu*, 11 May – Attachment 22
- '25 injured in clash during ward byelection' 2004, *The Hindu*, 28 September – Attachment 23
- 'Violence mars Tamil Nadu civic polls' 2005, *The Deccan Herald* online edition, 20 April
<http://www.deccanherald.com/deccanherald/Apr202005/national1914162005419.asp> - Accessed 19 September 2006 – Attachment 24
- 'AIADMK, DMK men clash at Periakulam' 2004, *The Hindu* online edition, 11 May
<http://www.hinduonnet.com/2004/05/11/stories/2004051107340400.htm> - Accessed 20 September 2006 – Attachment 25

Although the DMK and AIADMK were contesting the 2006 Assembly poll in Pondicherry and Karaikal, both union territories outside but surrounded by Tamil Nadu, no report was found of violence between the two parties there (see for instance, 'DMK takes on AIADMK in eight constituencies' 2006, *The Hindu*, 12 April - Attachment 26).

5. Is there any information about the police providing protection to AIADMK supporters, or about the prosecution of DMK members for violence against AIADMK supporters?

No definitive information has been located about the police providing protection to AIADMK supporters, or about the prosecution of DMK members for violence against AIADMK supporters.

However, reports indicate that the Tamil Nadu state police has been manipulated by the government party and highly politicised to the extent that its "police officers were divided into three categories - pro-DMK, pro-AIADMK, and neutral". They suggest that the government party supporters could be protected at the cost of the opposition parties.

In 2001, the People's Union for Civil Liberties commented that:

Successive Tamil Nadu Governments and the State apparatus have the unenviable 31-year record of consistently creating and promoting a fascist police establishment to be called upon for use to suppress dissent and right to statement and association. Thousands of examples of police brutality under AIADMK and DMK regimes exist. This brutalisation of police was seen once again in the arrest of Mr. Karunanidhi and 1000's of other DMK cadres. We also place on record that the DMK Government (1996-2001) presided and promoted this same fascist police ('Human rights group condemns the arrest of M. Karunanidhi' 2001, People's Union for Civil Liberties website, September <http://www.pucl.org/reports/TamilNadu/2001/karunanidhi.htm> - Accessed 19 September 2006 – Attachment 27).

On the issue, *The Hindu* of 19 June 2001 comments that:

Tamil Nadu elections results were followed by the immediate transfer of four senior police officials (including the Police Commissioner and the Additional Police Commissioner) and orders of compulsory wait for six IAS officers serving in the outgoing CM's office. Speculation on other postings has been rampant in the State, once placed high among the most well-administered States ... More recently even when Mr. M. Karunanidhi took over as Chief Minister in 1996, there were advisers such as former bureaucrat, the late Sanjivi Guhan, who were outside the official establishment, to draw up lists of officers to be considered for various posts. It was mentioned at that time that the Tamil Nadu police officers were divided into three categories - pro-DMK, pro-AIADMK, and neutral. ('Politicisation of the state machinery' 2001, *The Hindu*, 19 June <http://www.hindu.com/2001/06/19/stories/13190832.htm> - Accessed 19 September 2006 - Attachment 28).

Similarly, another report notes that:

'Politicisation' of the police force has reached such an extent in Tamil Nadu that goons and operators of the ruling party can get away with anything. Things have come to such a pass that some police officers are actively collaborating in the commissions and omissions of the ruling clique (Jayanth, V. 2001, 'Will police force refurbish its image?', *The Hindu*, 19 October – Attachment 29).

It appears that the trend remains unchanged today given the latest US State Department *Country Reports on Human Rights Practices*. It states that corruption was endemic in the government and police forces and the government made few attempts to combat the problem, except in instances raised by the media. It also refers to police failing to file arrest warrants, police torture and custodial abuse (US Department of State 2007, '[Introduction]', Disappearances, 'Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment' and 'Police and Detention Center Conditions' in *Country Reports on Human Rights Practices for 2006 – India*, 6 March www.state.gov/g/drl/rls/hrrpt/2006/78871.htm – Attachment 30).

However, the Tamil Nadu police is said to be one of the best in India. *India Today* comments that:

[...] what the state really scores in are its legal structure and security apparel. The state's police force-over 140 years old-is extremely credible. 82 per cent cases filed with the Tamil Nadu police are completed. The recovery of stolen property in 2004 was 64.2 per cent, the highest in the country after Mizoram that is not included in the survey due to paucity of data. A mere 4.40 per cent was recovered in Gujarat (Choudhury, S & Jeevan, S.S. 2006, 'THE STATE OF THE STATES: INDIA'S BEST AND WORST STATES: State of Law and order', *India Today*, 11 September – Attachment 31).

For police protection in Tamil Nadu and India in general, see RRT Research Response IND31793 of 18 May 2007, especially response to Q 9 (Attachment 32). Police protection is available in India; however, the police have a reputation of corruption and politicisation and protection may not be available in all cases.

6. What is the current situation in Tamil Nadu and other states of India between Hindus and Muslims, and in particular, are there any current reports of violence perpetrated on Muslims by Hindus? If there is, is there any indication that the state is able to protect the Muslims?

The situation between Hindus and Muslims has mostly been acrimonious and tense in India, often erupting into violent clashes. One of the reasons for the continued violence is attributed to the lack of swift and effective actions to deal with violence on the part of the authorities, especially at the state and local level. Despite the continued violence, however, it appears that Tamil Nadu has kept itself free from such violence in recent years.

The 2007 US Department of State *International Religious Freedom Report* gives an overview of the latest situation in India as follows:

There was no change in the status of respect for religious freedom by the National Government during the period covered by this report and government policy continued to contribute to the generally free practice of religion; however, problems remained in some areas. Some state governments enacted and amended "anti-conversion" laws and police and enforcement agencies often did not act swiftly enough to effectively counter societal attacks, including attacks against religious minorities. Despite Government efforts to foster communal harmony, some extremists continued to view ineffective investigation and prosecution of attacks on religious minorities, particularly at the state and local level, as a signal that they could commit such violence with impunity, although numerous cases were in the courts at the end of the reporting period...

Terrorists attempted to provoke interreligious conflict by detonating bombs in Hyderabad in May 2007, in Nanded (Central Maharashtra) in February 2007, in the Muslim majority town of

Malegaon (North Maharashtra) in September 2006, and in commuter trains in Mumbai in July 2006.

During the reporting period, societal violence also continued between Hindus and Muslims over disputed places of worship. The Bhojshala complex in Dhar, Madhya Pradesh is one such case where, since 2002, both Hindus and Muslims have disputed the right of the other group to offer prayers (US Department of State 2007, *International Religious Freedom Report: India*, 14 September www.state.gov/g/drl/rls/irf/2007/90228.htm – Attachment 33).

Referring to the May 2007 incident mentioned above, the *Toronto Star* comments that the 17th-century Mecca Masjid mosque in Hyderabad, Andhra Pradesh was blasted in May 2007 killing 13 people. Muslims blamed Hindus for the blast and complained of a lack of police protection although no perpetrator was located ('Mosque blast ignites clashes; 13 dead as Indian officials plead for calm amid fears of Muslim-Hindu violence' 2007, *Toronto Star*, 19 May - Attachment 34).

As to the situation in Tamil Nadu, no recent report of serious communal violence has been sighted there. The 2007 US Department of State *International Religious Freedom Report* notes that no major attacks on churches, temples, or mosques were reported in Tamil Nadu between August 2006 and March 2007 (US Department of State 2007, *International Religious Freedom Report: India*, 14 September - Attachment 33) and on May 22, 2006, the Tamil Nadu Assembly repealed the Tamil Nadu Prohibition of Forcible Conversion of Religion Act, 2002 (US Department of State 2007, *Country Reports on Human Rights Practices – India*, 6 March – Attachment 30). Some NGOs claimed some state governments used these laws to restrict voluntary conversions and to harass religious minorities (US Department of State 2006, *International Religious Freedom Report: India*, 15 September www.state.gov/g/drl/rls/irf/2006/71440.htm – Attachment 35).

While it is difficult to identify clearly perpetrators in the communal violence between Hindus and Muslims, some reports implicate Hindus clearly as perpetrators. A 2003 report states that 15 Hindus were convicted as perpetrators in connection with the 2002 Gujarat massacres ('Gujarat Massacres Hindus Convicted' 2003, *IPR Strategic Information Database*, 27 November – Attachment 36).

Other reports from the 2007 US Department of State *Country Reports on Human Rights Practices* describes Hindus or the Hindu dominated government as perpetrators:

- From March 2 to 4, [2006] groups of Hindus attacked and destroyed Muslim shops and vehicles in two towns in central Goa. The group protested the illegal construction of a mosque by recent Muslim immigrants.
- Muslims in some Hindu-dominated areas continued to experience intimidation and reported a lack of government protection, resulting in their inability to work, reside, or send their children to schools. In some areas, primarily in Gujarat, Hindutva, groups displayed signs stating "Hindus only" and "Muslim-free area." Hindutva is the ideology that espouses politicized inculcation of Hindu religious and cultural norms above other religious norms. There were also allegations of prohibitions on the Muslim call to prayer.
- In May 2006 despite Muslim community protests, the Vadodara City Government demolished a 300-year-old shrine in Gujarat. While dispersing a mob of Muslim

protestors, the Gujarat police killed two Muslims. The mob set four shops on fire in retaliation. Three Hindus were also stabbed to death in the mob violence and a group of Hindus set one Muslim man on fire. The Home Ministry deployed paramilitary forces and the army to assist local security personnel. The media reported that 6 persons were killed and 42 injured, 16 as a result of police fire.

- In March 2007 a Hindu color splashing procession (Rangteras') through a Muslim-dominated locality led to an incident of communal violence. Allegedly, the processionists raised inflammatory slogans and vandalized 26 shops belonging to Muslims. According to the Rajasthan Muslim Forum, the state police did not take any action to stop the violence and arrested all Muslims who attempted to file complaints against the rioters (US Department of State 2007, *Country Reports on Human Rights Practices – India*, 6 March www.state.gov/g/drl/rls/hrrpt/2006/78871.htm – Attachment 30).

Apart from the above, many reports comment on the communal violence between Hindus and Muslim in recent years in India. On the basis of the two most recent and comprehensive reports both published by the US Department of State, a list of conflicts between them has been compiled to assist in understanding the current situation in India. It includes:

The 2007 US Department of State *Country Reports on Human Rights Practices* -

- In April [2006] communal clashes between Hindu and Muslim residents of Aligarh, Uttar Pradesh, which stemmed from the use of loudspeakers during a religious festival, resulted in two deaths and eight injuries. An NCM investigation determined that the Uttar Pradesh administration initially did not take appropriate steps to prevent the violence. The police launched a judicial inquiry.
- On May 1, police shot and killed two Muslims during protests over the removal of a Muslim shrine in Vadodara, Gujarat. In the violence that ensued, police injured another 60 persons, mostly Muslims. Unknown assailants stabbed and killed two Hindus. According to the media, the police reportedly dealt heavy handedly with Muslim rioters.
- On September 8, [2006] two bombs attached to bicycles exploded in Malegaon, Maharashtra, killing 37 people and injuring 125, most of them Muslim worshipers leaving a mosque after Friday prayers. On October 30, authorities arrested a member of the Students Islamic Movement of India (SIMI) for his alleged involvement with the blast.
- The Gujarat state government discriminated against Muslims in compensating victims of the 2002 Gujarat riots and threatened victims, witnesses, and human rights activists attempting to prosecute those who committed crimes during the riots.
- On May 3, [2006] AI reported the killing of at least 35 Hindus and the additional wounding of 10 others in a predominantly Muslim area of Jammu and Kashmir ahead of a meeting between the prime minister and Hurriyat leaders. (US Department of State 2007, *Country Reports on Human Rights Practices – India*, 6 March - US Department of State 2007, *Country Reports on Human Rights Practices – India*, 6 March www.state.gov/g/drl/rls/hrrpt/2006/78871.htm – Attachment 30)

The 2007 US Department of State *International Religious Freedom Report*

- The BJP was associated with some instances of dissemination of information promoting religious intolerance. On April 11, 2007, the BJP released a widely criticized Compact Disk (CD) as part of its Uttar Pradesh election campaign material. The National Commission for Minorities called upon the National and State Governments to take serious note of offensive depictions of the Muslim community contained in the CD. The BJP claimed to have withdrawn the CD; however, its contents were published and broadcast by the media....
- In March 2006 the government-established commission headed by Justice Banerjee issued a report stating that the Godhra train fire was an accident and ruled out a Muslim conspiracy. The commission also accused the then Railway Minister and the Railway Safety Commission of failing to adequately investigate the accident....
- In February 2006 a special court in Mumbai convicted 9 persons of the murder of 14 Muslims in the Best Bakery case and sentenced them to life in prison. The court acquitted another eight. Many human rights groups continue to argue that, despite the Best Bakery verdict, those responsible for the 2002 Gujarat violence will go unpunished....
- In September 2006 in the Muslim majority town of Malegaon (North Maharashtra) on the eve of an important Shi'a festival, 38 people died, and more than 100 were injured due to a series of bomb explosions in and around a mosque....
- On July 11, 2006, in Mumbai, a series of bombs exploded in commuter trains killing approximately 200 people and injuring over 700, as part of a terrorist campaign to incite widespread Hindu/Muslim rioting and destroy the India/Pakistan peace initiative.....
- In February 2007 nine persons were injured in Hindu-Muslim clashes during the Moharrum procession in Indore, Madhya Pradesh.
- On January 20-22, 2007, riots erupted in Bangalore after Muslim youth allegedly pulled down banners put up by Hindu activists. Clashes left a young boy dead, 31 individuals (mostly Muslims) injured, and at least 15 vehicles damaged. Media reports suggested that lack of clear orders prevented decisive police action against the rioters.
- In September 2006 minor Hindu-Muslim skirmishes occurred in Rabodi (Thane city) and Osmanabad in Maharashtra during immersion processions of the Hindu deity Ganesha. Police acted promptly and brought the violence under control. (US Department of State 2007, *International Religious Freedom Report: India*, 14 September www.state.gov/g/drl/rls/irf/2007/90228.htm – Attachment 33)

Several Country Research Responses have examined the issue of the communal violence between Muslims and Hindu in India and some states including Tamil Nadu. Some of the recent responses are listed below:

- RRT Country Research 2006, *Research Response IND30931*, 16 November (Q2 communal violence – Hindus – Muslims).

The Indian state of Gujarat is well known for communal violence between Hindus and Muslims. Between 1970 and 2002, Gujarat experienced 443 Hindu – Muslim riots – Attachment 37.

- RRT Country Research 2006, *Research Response IND30613*, 29 September (Tamil Nadu – DMK – 1999-2001 – May 2006-Present). Examines how change of government affected the treatment of the minorities including Muslims and their relationship with Hindus in Tamil Nadu – Attachment 38.
- RRT Country Research 2006, *Research Response IND17769*, 2 February (Q4). Tamil Nadu had been comparatively free of communal violence before November 1997 – Attachment 39.
- RRT Country Research 2006, *Research Response IND30787*, 3 November (Q6 Anti-conversion law). Conversion continued to be a highly contentious issue and several state governments. Most recently the Government of Rajasthan enacted laws to criminalize coerced and/or fraudulent conversions. Some NGOs claimed some state governments used these laws to restrict voluntary conversions and to harass religious minorities – Attachment 40.
- RRT Country Research 2004, *Research Response IND16591*, 29 March. The human rights situation of Muslims in Tamil Nadu appears to have deteriorated in recent years. It has so, it seems, in particular conjunction with increasing levels of communal violence and communalised politics in the state – Attachment 41.

Apart from the above, a comprehensive study describes the socio-economic status of Muslims in relation to the rest of the population in India. On the basis that it may shed some light on the issue under consideration, relevant parts of the study are presented:

The *Sachar Committee Report on Social, Economic and Educational Status of the Muslim Community of India* was released in November 2006 ('Prime Minister's High Level Committee (Sachar Committee Report) on Social, Economic and Educational Status of the Muslim community of India 2006, Indian Government, November

<http://www.sabrang.com/sachar/sacharreport.pdf> - Accessed 9 October 2007 – Attachment 42). It consists of more than 400 pages covering the status of Muslims in the area of Health, Education, Population, Economy, Employment, Access to Bank Credit, Access to Social and Physical Infrastructure, Poverty, Consumption and Standards of Living, Government Employment and Programmes, and the Muslim OBCs and Affirmative Action.

The key sections of the report are as follows:

EDUCATION

Relative deprivation in education of Muslims vis-à-vis other SRCs calls for a significant shift in the policy of the State, along with the creation of effective partnership with private and voluntary sectors. Given the vastness of the population to be served and the limited resources available with policy makers, the emphasis on provisioning of a minimum level of school education by the State seems justified (P 84)

ECONOMY & EMPLOYMENT

Overall, one finds that as compared to others, Muslim workers are engaged more in self employed manufacturing and trade activities. Their participation in regular salaried jobs (especially in the government or large public and private sector enterprises) is much less than workers of other SRCs. They tend to be relatively more vulnerable in terms of conditions of work as their concentration in informal sector employment is higher and their job conditions (contract length, social-security etc.) even among regular workers are less for Muslims than those of other SRCs. Muslims tend to be relatively more vulnerable in terms of conditions of work as their concentration in informal sector employment is higher and their job conditions (contract length, social security etc.) even among regular workers are less for Muslims than those of other SRCs. It has been shown that the returns to higher levels of education are relatively high for Muslim men and women as well, though there has been a decline in the 1990s for men in rural areas and women in urban areas.¹⁶ In fact, the returns are higher at higher levels of education (pp 106 -7)

ACCESS TO BANK CREDIT

The access of Muslims to bank credit, including the PSA, is low and inadequate. The average size of credit is also meagre and low compared with other SRCs both in PuSBs and PrSBs. The position is similar with respect to finance from specialized institutions such as SIDBI and NABARD. The Census, 2001 data (Fig. 6.12) shows that the percentage of households availing banking facilities is much lower in villages where the share of Muslim population is high. One of the reasons for such an outcome could be non-availability of banking facilities in these villages. (p 136)

ACCESS TO SOCIAL AND PHYSICAL INFRASTRUCTURE

Villages with large Muslim populations are located in states/areas with poor physical and social infrastructure. This has resulted in Muslim households being poorly served by amenities compared to other SRCs. (p 149)

POVERTY, CONSUMPTION AND STANDARD OF LIVING

The analysis of differentials in poverty across SRCs shows that Muslims face fairly high levels of poverty. Their conditions on the whole are only slightly better than those of SCs/STs. As compared to rural areas, Muslims face much higher relative deprivation in urban areas. Over time changes in poverty levels also show that the economic conditions of Muslims in urban areas have not improved as much as the other SRCs. (p 161)

GOVERNMENT EMPLOYMENT AND PROGRAMME

A detailed analysis of Muslim presence in government employment highlighted the same pattern that was observed in Chapter 5. A very small proportion of government/public sector employees are Muslims and on average they are concentrated in lower-level positions. This is consistent with the finding above that the average earnings of Muslim regular employees are lower than those of employees belonging to other SRCs. While no discrimination is being alleged, it may be desirable to have minority persons on relevant interview panels. This can be done on the lines of SC/ST participation in panels. Although efforts were made to ensure the presence of Muslims on the selection committees for Group C and Group D, the results were not made available to the Committee (see Appendix 9.15).

(PP 186-7) (*Sachar Committee Report*) on *Social, Economic and Educational Status of the Muslim community of India* 2006, Indian Government, November

<http://www.sabrang.com/sachar/sacharreport.pdf> - Accessed 9 October 2007 – Attachment 42)

The statistical imparity suffered by Muslims is well illustrated also in a recent examination of the report. It states that:

Muslims make up roughly 13 percent of India’s population of 1.1 billion. Major findings of the Sachar Committee report say that the percentage of Muslims in government employment was a mere 4.9 percent of the total 88,44,669 employees. The number of Muslims in security agencies was 3.2 percent – 60,517 out of the total of 18,79,134 are in the CRPF [Central Reserve Police Force], CISF [Central Industrial Security Force], BSF [Bordrer Security Force], SSB [Special Security Bureau] and “other agencies.”

In many states, Muslims are significantly over represented in prison. In Maharashtra, for instance, Muslims make up only 10.6 percent of the population but 32.4 percent have been convicted or are facing trial.

Among district judges in 15 states surveyed, 2.7 percent were Muslim.

The literacy rate among Indian Muslims is about 59 percent, compared with more than 65 percent among Indians as a whole.

On average, a Muslim child attends school for three years and four months, compared with a national average of four years.

Less than four percent of Muslims graduate from school, compared with six percent of the total population. Less than two percent of students at the elite Indian Institute of Technology are Muslim.

Equally revealing, only four percent of Muslim children attend madrasas [Islamic schools] (‘Uplift Indian Muslims without imposing religion-based quota: RSS’ 2007, *Islamic Republic News Agency* , 8 February <http://www2.irma.com/en/news/view/line-17/0702088523131237.htm> – Accessed 28 May 2007 – Attachment 43).

List of Sources Consulted

Internet Sources: AltaVista, Google, Vivisimo & Copernic 2001 Personal Agent

Asia Society website http://www.asiasource.org/news/special_reports/archive.cfm

ANU Research website <http://rspas.anu.edu.au/>

Asia Week <http://www.asiaweek.com/asiaweek/>

BBC News website <http://www.bbc.co.uk>

The Guardian website <http://www.guardian.co.uk/>

CNN website <http://www.cnn.com/>

Minorities At Risk (MAR) Project <http://www.cidcm.umd.edu/inscr/mar/home.htm>

Minority Rights Group International <http://www.minorityrights.org/>

Databases:

Public *FACTIVA*

Reuters Business Briefing

DIAC *BACIS*

Country Information

CISINFO

DIMA Research Responses

CISLIB

CIS Library Catalogue

REFINFO

IRBDC Research Responses (Canada)

UNHCR *REFWORLD*
MRT-RRT *ISYS*

UNHCR Refugee Information CD-ROM
RRT Country Research database, including
Amnesty International, Human Rights Watch, U.S.
Department of State *Country Reports on Human Rights
Practices.*

List of Attachments

1. 'DMK returns in Tamil Nadu, Jayalalitha stunned' 2006, *IndiaeNews*, 11 May.
(<http://www.indiaenews.com/print/?id=7561> - Accessed 2 October 2007)
2. 'Karunanidhi to be Chief Minister for fifth time' 2006, *The Hindu*, 12 May.
(<http://www.hinduonnet.com/thehindu/thscrip/print.pl?file=2006051211610100.htm&date=2006/05/12/&prd=th&> - Accessed 2 October 2007)
3. 'DMK-led front wins absolute majority' 2006, *newindpress*, 12 May.
(<http://newindpress.com/election/2006/News.asp?Topic=-443&Title=TAMIL+NADU&ID=IE920060511140752&nDate=&Sub=&> - Accessed 2 October 2007)
4. 'Tamil Nadu Assembly Election - 2006 Results' 2006, Indian Election Commission website, 11 May. (<http://www.indian-elections.com/assembly-elections/tamil-nadu/election-result-06.html> - Accessed 1 October 2007)
5. 'DMK, AIADMK activists clash' 2006, *The Hindu*, 17 October. (FACTIVA)
6. 'DMK and AIADMK men clash in Madurai' 2006, *Sify*, 2 October.
(<http://sify.com/fullstory.php?id=14305411> - Accessed 2 October 2007)
7. 'AIADMK, DMK workers clash' 2006, *The Hindustan Times*, 9 September.
(FACTIVA)
8. 'ADMK [sic] worker hacked to death, Anbumani, father named in FIR' 2006, *The Indian Express*, 10 May. (FACTIVA)
9. 'DMK booth agent killed in poll clash' 2006, *The Hindu*, 10 May.
(<http://www.hindu.com/2006/05/10/stories/2006051004260300.htm> - Accessed 2 October 2007)
10. '4 injured in clash' 2006, *The Hindu*, 27 April. (FACTIVA)
11. 'AIAMDK, Cong MLAS clash in TN Assembly' 2006, *Sify.com* website, 26 May.
(<http://sify.com/news/fullstory.php?id=14213661> - Accessed 20 September 2006)
12. 'Police arrest top regional politician, federal minister in bribery crackdown' 2001, *AP*, 30 June. (FACTIVA)
13. 'Protests erupt as ex-chief minister feels the heat in Madras' 2001, *Agence France-Presse*, 30 June. (FACTIVA)

14. 'Karunanidhi stands by his hunger strike, 2007, Daily India, 1 October.
(<http://www.dailyindia.com/show/178748.php/Karunanidhi-stands-by-his-hunger-strike>
- Accessed 4 October 2007)
15. 'Karunanidhi showers praise on Minister' 2007, The Hindu, 5 July.
(<http://www.hinduonnet.com/thehindu/thscrip/print.pl?file=2007070551880200.htm&date=2007/07/05/&prd=th&> - Accessed 4 October 2007)
16. '50 Years for Chief Minister Karunanidhi in Tamil Nadu Assembly' 2007, News Post India, 11 May. (<http://www.newspostindia.com/report-113> - Accessed 9 October 2007)
17. 'INDIA: POLITICIANS' JAILING ILLEGAL; SUPPORTERS OF ACCUSED OPPOSITION LEADER SAY ARREST PART OF VENDETTA' 2001, *Charlotte Observer*, 2 July. (FACTIVA)
18. Banks, A., Muller, T. et al (ed) 2007, *Political Handbook of the World: 2007*, CQPress, p.534 & 540. (MRT-RRT Library)
19. Szajkowski, Bogdan (ed) 2005, *Political Parties of the World*, 6th Edition, John Harper Publishing, pp 294-5 & 292-3. (MRT-RRT Library)
20. 'DMK, AIADMK groups clash at Orathanadu' 2007, *The Hindu*, 25 May. (FACTIVA)
21. 'Violence in Chennai as DMK, AIADMK clash' 2005, *The Hindustan Times*, 19 April. (FACTIVA)
22. 'Sporadic incidents mar polling' 2004, *The Hindu*, 11 May. (FACTIVA)
23. '25 injured in clash during ward byelection' 2004, *The Hindu*, 28 September. (FACTIVA)
24. 'Violence mars Tamil Nadu civic polls' 2005, *The Deccan Herald* online edition, 20 April.
(<http://www.deccanherald.com/deccanherald/Apr202005/national1914162005419.asp> - Accessed 19 September 2006)
25. 'AIADMK, DMK men clash at Periakulam' 2004, *The Hindu*, 11 May.
(<http://www.hinduonnet.com/2004/05/11/stories/2004051107340400.htm> - Accessed 20 September 2006)
26. 'DMK takes on AIADMK in eight constituencies' 2006, *The Hindu*, 12 April. (FACTIVA)
27. 'Human rights group condemns the arrest of M. Karunanidhi' 2001, People's Union for Civil Liberties website, September.
(<http://www.pucl.org/reports/TamilNadu/2001/karunanidhi.htm> - Accessed 19 September 2006)
28. 'Politicisation of the state machinery' 2001, *The Hindu*, 19 June.
(<http://www.hindu.com/2001/06/19/stories/13190832.htm> - Accessed 5 October 2007).

29. Jayanth, V. 2001, 'Will police force refurbish its image?', *The Hindu*, 19 October. (FACTIVA)
30. US Department of State 2007, *Country Reports on Human Rights Practices – India*, 6 March. (www.state.gov/g/drl/rls/hrrpt/2006/78871.htm - Accessed Thu, 08 Mar 2007 00:57:06 GMT)
31. Choudhury, S & Jeevan, S.S. 2006, 'THE STATE OF THE STATES: INDIA'S BEST AND WORST STATES: State of Law and order', *India Today*, 11 September. (FACTIVA)
32. RRT Research Response: *Research Response IND31793* of 18 May 2007.
33. US Department of State 2007, *International Religious Freedom Report: India*, 14 September. (www.state.gov/g/drl/rls/irf/2007/90228.htm - Accessed Wed, 26 Sep 2007)
34. 'Mosque blast ignites clashes; 13 dead as Indian officials plead for calm amid fears of Muslim-Hindu violence' 2007, *Toronto Star*, 19 May. (FACTIVA)
35. US Department of State 2006, *International Religious Freedom Report: India*, 15 September. (www.state.gov/g/drl/rls/irf/2006/71440.htm - Accessed Tue, 19 Sep 2006)
36. 'Gujarat Massacres Hindus Convicted' 2003, *IPR Strategic Information Database*, 27 November. (FACTIVA)
37. RRT Country Research 2006, *Research Response IND30931*, 16 November (Q2 communal violence – Hindus – Muslims).
38. RRT Country Research 2006, *Research Response IND30613*, 29 September. (Tamil Nadu – DMK – 1999-2001 – May 2006-Present)
39. RRT Country Research 2006, *Research Response IND17769*, 2 February (Q4).
40. RRT Country Research 2006, *Research Response IND30787*, 3 November (Q6 Anti-conversion law).
41. RRT Country Research 2004, *Research Response IND16591*, 29 March.
42. *Sachar Committee Report) on Social, Economic and Educational Status of the Muslim community of India* 2006, Indian Government, November. (<http://www.sabrang.com/sachar/sacharreport.pdf> - Accessed 9 October 2007) (<http://salehshariff.blogspot.com/>)
43. 'Uplift Indian Muslims without imposing religion-based quota: RSS' 2007, *Islamic Republic News Agency*, 8 February. (<http://www2.irna.com/en/news/view/line-17/0702088523131237.htm> – Accessed 28 May 2007)