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Questions

- 1. Are there many Dalits who are policemen in Gujarat or India?**
- 2. Please provide background information on the Patel, Bharwad and Adivasi.**
- 3. Are there any Gujarat politicians who are Dalits, especially around Ahmedabad?**
- 4. Is it likely that the police would withhold protection, in favour of Dalits?**

RESPONSE

1. Are there many Dalits who are policemen in Gujarat or India?

The National Campaign on Dalit Human Rights (NCDHR) has recently referred to the scarcity of Dalit police officers in submitting a “set of recommendations to the Police Act Drafting Committee (PADC)”. The submission was made after “National Campaign on Dalit Human Rights and its Platform members had a consultation on 2 April 06 along with CHRI”. Relevant extracts follow:

- i. Most police and revenue officers belong to the dominant castes. Though some lower caste officers are now coming up in these positions, but their number is still small and they may not be given crucial or prominent positions or may be circumscribed in their action under pressure from their controlling officers in the hierarchy or by the Politicians.
- ...x. The percentage of Dalit Police Officers at the Higher level is still very minimal and the lower level Dalit personnel is at the beck and call of the higher ups.
- xi. Discrimination even with in the police force is not uncommon. It originates from the level of Appointment to Promotion to Transfer. There is no enough Diversity in terms of recruitment of Police Officers. Dalit Police Officers always get only insignificant posts.

xii. Direct Appointment of Dalit Officers is still under fire in the name of Merit, a convenient theory and principle used to eliminate the candidature of Dalits. And the lower level dalit personnel is generally posted as errand persons for the Higher ups.

xiii. Government has the practice of posting Dalit Officers in the places where major atrocities took place, in order to appease the Dalits as if their person is in charge for Investigation. But in practice their hands are mostly tied by extraneous factors and influences.

xiv. The voice of the Dalit Officers within the Police force is hardly heard or attended to. They are snubbed with disciplinary proceedings and punishments. The vociferous Dalits officers are posted for insignificant positions or the places known as Punishment Areas.

xv. Dalit officers would hardly be elevated to the post of DGP and most of the times, their names are not recommended or considered on the basis of merit or in the name of their earlier performances. This is another great injustice done to the Dalit Officers (National Campaign on Dalit Human Rights (undated), 'Draft Recommendations submitted to the PADC – Police Reform Drafting Committee', Dalit Netwerk Nederland website, pp.118-119 <http://www.dalits.nl/docs/ncdhr01.doc> – Accessed 18 September 2007 – Attachment 5).

Similarly worded claims were made in a 2004 report published by India's National Human Rights Commission (NHRC) report:

Most police and revenue officers belong to the dominant castes. This was the position, at least till recently. Though some lower caste officers are now coming up in these positions, but their number is still small and they may not be given crucial positions or may be circumscribed in their action under pressure from their controlling officers in the hierarchy (National Human Rights Commission 2004, 'Report on Prevention of Atrocities against Scheduled Castes', p.118 <http://nhrc.nic.in/Publications/reportKBSaxena.pdf> – Accessed 17 September 2007 – Attachment 1).

The National Human Rights Commission's 2004 report also provides information which suggests that police in Gujarat have recorded complaints in a manner that conceals the extent to which Gujarat's Dalit communities are victims of caste violence:

Under-reporting of Atrocities Act cases is a very common phenomenon and therefore the decline in the number of registered cases does not provide a true picture of the incidence of atrocities. One NGO in Gujarat, in a study covered 11 atrocities-prone districts for four years, showed that 36% of atrocities cases were not registered under Atrocities Act and 84.4% of the cases where the Act was applied, the cases were registered under wrong provisions with a view to concealing actual and violent nature of the incidents (National Human Rights Commission 2004, 'Report on Prevention of Atrocities against Scheduled Castes', p.33 <http://nhrc.nic.in/Publications/reportKBSaxena.pdf> – Accessed 17 September 2007 – Attachment 1).

In February 2007 Human Rights Watch (HRW) released an extensive report on the treatment of Dalits in India. According to this report Dalits in India are "routinely abused at the hands of the police and of higher-caste groups that often enjoy the state's protection". According to HRW:

In 1979 India constituted the National Police Commission to analyze problems in police performance. However, the Commission's recommendations, which include recommendations specific to police abuse of Dalits, have still not been adopted. Police continue to detain, torture, and extort money from Dalits without much fear of punishment.

...Dalits who encounter the police are forced to listen to casteist name-calling, unfounded accusations on their character, and threats against their family and friends (Human Rights Watch 2007, *Hidden Apartheid: Caste Discrimination against India's "Untouchables"*, February, Vol. 19, No. 3(C), pp.19, 27 – Attachment 2).

HRW illustrates these claims by referring to incidents which have occurred in a range of states, most notably: Tamil Nadu, Bihar, Uttar Pradesh, Maharashtra and Haryana. Examples referring to Gujarat appear less frequently. Among the most notable of these is the following:

The failures of implementing Article 5 of ICERD with respect to caste are also evinced by the disproportionately high rate of acquittals in cases involving offences and atrocities against Dalits. The Third and Sixth Reports of the National Commission for Scheduled Castes and Scheduled Tribes reveal, respectively, that in 1996, the conviction rate in these cases was 15 percent, while the acquittal rate was 85 percent, and that in 1999-2000 and 2000-2001, as much as 89 percent of cases resulted in acquittals. The Commission additionally found that only 11 percent of cases were disposed of during the year. Of those, 51 percent resulted in convictions. The small percentage of cases that actually reached the trial stage is a cause for concern. Additionally, the acquittal rates were still alarming in the states of Assam, Gujarat, Kerala, Maharashtra, Orissa, Rajasthan, Uttaranchal, Karnataka, and Haryana, where acquittal rates were as high as 97 percent. ... In Gujarat, in the 1,301 cases registered in 2005, the conviction rate was a poor 3.8 percent (Human Rights Watch 2007, *Hidden Apartheid: Caste Discrimination against India's "Untouchables"*, February, Vol. 19, No. 3(C), pp.55-56 – Attachment 2).

It may be of interest that the February 2007 HRW report also states that “a Dalit social worker in Gujarat, told Human Rights Watch in 2003 that the VHP had circulated pamphlets demonizing Dalit community members and calling on VHP members to attack Dalits” (Human Rights Watch 2007, *Hidden Apartheid: Caste Discrimination against India's "Untouchables"*, February, Vol. 19, No. 3(C), p.48 – Attachment 2).

Alternatively, one report was located whose content suggests that there have been occasions where Gujarat police had released Dalits arrested for engaging in communal violence against Muslims, following the intervention of members of the Hindu nationalist Rashtriya Swayamsevak Sangh (RSS). In a November 2005 interview, Valjibhai Patel, Director of the Ahmedabad-based Council for Social Justice (“a noted lawyer and Dalit activist”), spoke of how, during the Gujarat riots, some Dalits became involved in attacks on the Muslim community and some, he claims, enjoyed protection from the law as a consequence of a “nexus between the police and the RSS-walas”.

Their participation in the attacks was more due to the chance they got to loot, not really because of any ideological commitment to the Hindutva agenda. And then, looting wasn't done only or mostly by Dalits. In Ahmedabad, posh Muslim-owned stores were ransacked not by Dalits but by ‘upper’ caste people, including women with bob-cuts and wearing jeans, but why is it that this is never talked about? Another point that should be considered is that in the wake of the violence, some Dalits who had engaged in the violence on the instigation of the RSS, were arrested by the police, and then the RSS-walas went to the prisons to have them released and so became ‘heroes’ and ‘saviours’ in their eyes. So there is this nexus between the police and the RSS-walas that must be highlighted (‘Dalits in Gujarat: Valjibhai Patel interviewed by Yogi Sikand’ 2005, Znet website, 15 November <http://www.zmag.org/content/showarticle.cfm?ItemID=9126> – Accessed 17 September 2007 – Attachment 4).

A 2005 report provides information which seems to suggest, in an indirect fashion, that few Dalits have been recruited into the ranks of Gujarat's local police. The information is provided in the context of a report on the political situation in Gujarat, where the report notes that "[t]he upper caste Gujaratis would not like to join army. And that's going to be the crisis in future when they will have to recruit either Adivasis or Dalits or people outside Gujarat in the police forces of the state". The relevant extract follows:

Yes, that is the irony of Gujarat. The Gujaratis who enjoyed the diversity in London and then in United States are today saying that multiculturalism is dangerous. The Gujaratis who settled in South Africa, prospered in their business without any racial bias are today saying that communities are not assimilating here. Did any one of them merged with bigger identity in Europe and United States. No, Gujaratis are business people and their business interest are the biggest. When Gujaratis can stay in Maharastra and other parts of the country, there is nothing that can stop Biharis and other people from migrating to these states. Secondly, as Yunus Chauhan, a teacher in Anand told me, that Gujaratis don't do all the business. Hence the condition is that Gujaratis finds it difficult to get recruitment for the army and police. The upper caste Gujaratis would not like to join army. And that's going to be the crisis in future when they will have to recruit either Adivasis or Dalits or people outside Gujarat in the police forces of the state. Even the cotton market is now in the hands of Marwadis from Rajasthan (Rawat, V.B. 2005, 'The Hindu Rashtra Of Gujarat', Countercurrents.org website, 27 September <http://www.countercurrents.org/guj-rawat270905.htm> – Accessed 17 September 2007 – Attachment 3).

A 2003 report states that: "Dalits constitute 7.5 per cent of Gujarat's population. The state, according to the National Crime Record Bureau, ranks third in terms of atrocities committed against backward classes" ('Dalit threat to Gujarat conversion law' 2003, Countercurrents.org website, source: *The Telegraph* website, 15 April <http://www.countercurrents.org/dal-conversion16403.htm> – Accessed 19 September 2007 – Attachment 6).

2. Please provide background information on the Patel, Bharwad and Adivasi.

The Patel

According to the website of Bavis Gam Patidar Samaj, a US based Patidar association, the surname Patel is used predominantly by the Laua and Kadwa subcastes who together constitute the Patidar caste group (also referred to as the Kanbi caste group and, historically, referred to as the Kurmi caste group). The Patel name is not, however, the exclusive title of members of the Patidar (Kanbi) caste group even though it is used by them extensively. According to the Bavis Gam Patidar Samaj website: "The name Patel is a surname and not a caste"; and: "It is also used by certain other groups of people such as Brahmins, Vaniyas, Muslims, Harijans, Tailors and Cobblers". The use of the Patel surname amongst these other caste groups is said to have declined and, for this reason, has become very much associated with the Patidar (Kanbi) identity. As the Bavis Gam Patidar Samaj website puts it: "At present, the surname Patel is only used by Kanbis and so it is known as their surname and not their cast". The relevant extracts follow in detail:

Kurmi Kshtriyas

The Kurmis owned the land over many years became to known as Kunbi and then later Kanbi. The Kanbi caste later became known as two groups, Laua Kanbi (migrants from the Lya district of Punjab) and Kadva Kanbi (migrants from Karad district)

Therefore, Gujarati Patidars can be thought of two groups:

Laua Kanbi (2) Kadwa Kanbi

...Migration of Kurmi in to Gujarat:

Migration in to Gujarat region took between 600Bc and 200AD. The Kurmis who left Punjab migrated to Rajasthan, Saurashtra, Vadnagar and ofcourse to the whole Gujarat. These Kurmi migrant were mostly from Karad Region of Punjab and so were known as Kadwa Kurmi. Lor Kurmi's came to Adalaj via Ajmer, Marwar, Jaypur and Bhinamal.

As the population increased in Adalaj, the Kurmis migrated firstly to Daskoi and from there to Charotar, Bhal, and Vakal and to Kanam and further to Kathlal, Kapadwanj and via Salvi to Champaner. After settling around these areas, Laua and Kadwa kanbis reached Vadodra, Bharuch, Surat and Valsad districts. Thereby spreading themselves almost all the villages of Gujarat.

The Origins of Word 'Patel'

The actual name is derivative of the word 'Patlik'. The name was first used in Gujarat during the era of the Muslim Sultans (1412 AD – 1573 AD). The headmen in the village were appointed by Sultans and were known as 'Mukhis'. Mukhi is a word derived from the Arabic word Mukta. Through time, these headmen became called Patel (derived from Patlik or Akshpatlik or Akshpatal). Eventually even relatives and friends of Mukhis started calling themselves Patel. It seems as though the word came into use after 1400AD. Prior to this period, all Patels were known as Kanbis. The name Patel is a surname and not a caste. It is also used by certain other groups of people such as Brahmins, Vaniyas, Muslims, Harijans, Tailors and Cobblers. Although, the use of the name within these groups has declined in recent times. At present, the surname Patel is only used by Kanbis and so it is known as their surname and not their cast. In the state of Maharashtra Patels are known as Patils.

The Origins of Patidars in Gujarat

The name 'Patel' had been in use for three hundred years, when a man called Vasandas from Piplav (Kheda) village was offered the job of collecting land revenues in the Dholka, Matar and Petlad area. Vasandas was a brave man and had a good deal of influence over the Mogul King, Aurangzeb. During one of his meetings (1703A.D.) with Kanbis at Piplav, he invited Bahdur Shah (Son of Aurangzeb) to his meeting and asked his permission to use the word 'Patidar' instead of 'Kanbi'.

The Meaning of Patidar is Landowner: Pati = land, Dar = owner. During this period Nagar Brahmins had the sole authority to collect the land taxes and therefore used to have the upper hand on the Patidars and harass them. They used to work them extremely hard and confiscate their lands for no apparent reason. Fortunately, Vasandas used his influence on the mogul administrators to transfer the tax collection powers to the Patidars. As a consequence, the Patidar tax collectors were given the titles of 'Amin' and 'Desai'. Therefore, the Patidars caste began to incorporate three surnames

Patel, (2) Amin, (3) Desai and Vasandas became the first ever Gujarati Amin! ('What is Bavis Gam?' (undated), Bavis Gam Patidar Samaj website <http://www.bavisgam.com/Gams.php> – 20 September 2007 – Attachment 8; see also: <http://www.leuvapatidarsamaj.com/pdfs/leuvaconnection-2.pdf>).

A November 2006 report from Ahmedabad provides background on the "Patel community in Gujarat" and the two Patel sub-castes: the Leva Patels and the Kadva Patels. According to

this report: “Leva Patels occupy a higher place in the caste hierarchy” and are also “better off economically as they possess fertile land, while the Kadva Patels possess [sic] land which is less fertile and drought-prone”. The extracts follow:

AHMEDABAD: The Patel community in Gujarat, known for its entrepreneurial skills and hold over agriculture and business, is facing an unusual sociological crisis – a skewed male-female ratio, having to “buy” tribal brides for their boys.

The Leva Patels and Kadva Patels, sub-castes among the Patels, made a name for themselves around the world as entrepreneurs and businessmen. But the Leva Patels occupy a higher place in the caste hierarchy [sic].

The Leva Patels are better off economically as they possess fertile land, while the Kadva Patels possess [sic] land which is less fertile and drought-prone.

As a result of declining female ratio, the Patels are going to tribal areas in Vadodara, Bharuch, Panchmahals and other districts of Gujarat to “buy” tribal girls, paying around Rs 50,000 to Rs 1 lakh.

The Patels opt to get their sons to marry tribals due to the absence of a caste structure among tribals and affinity of tribals towards agriculture.

Moreover a non-tribal cannot buy agricultural land from tribals – so it makes better economic sense for the Patels whose roots are agriculture.

The skewed male female ratio has given rise to the concept of Sata Lagna: I will marry your sister if you marry mine.

A boy from a Patel community, who has a marriageable sister, is more eligible. The idea is an exchange of marriageable girls from one Patel family to another

Normally, a person from the Leva Patel community does not marry a Kadva Patel. However, this rule is becoming flexible due to the shortage of girls (‘Patels buy tribal brides for their boys’ 2006, *Daily News & Analysis* website, 2 November

<http://www.dnaindia.com/report.asp?newsid=1061639> – Accessed 20 September 2007 –

Attachment 7; for an extensive study of the caste relationships between Patel communities in Gujarat, see: Gidwani, V. 2000, ‘The Quest for Distinction: A Reappraisal of the Rural Labor Process in Kheda District (Gujarat), India’, *Economic Geography*, vol. 76, no. 2, pp. 145-168 – Attachment 10).

A 2005 study by Dr. Ornit Shani provides extensive background on the communal violence which affected the city of Ahmedabad in the 1980s, when “communal riots erupted, starting in the Dariapur area in the walled city of Ahmedabad near the Hindu locality of Vadigam and the Muslim locality Naginapol” (p.867). The study takes particular note of the relationships which developed between the Bharatiya Janata Party (BJP), the city’s various Patel communities (including the Leva Patel and Kadva Patel subcastes), the Dalit communities and the Muslim communities. The study argues that communal tensions, which saw Dalits attacked by higher caste Hindus in 1981, were transformed by the Hindu nationalist movement into tensions which saw Dalits and higher caste Hindus attack Muslims in 1985. Economically disaffected Patels from the Vadigam suburb reportedly turned their antagonism from Dalits to Muslims. While many Dalits, who were formerly associated with the Congress aligned KHAM voting bloc (“KHAM was the acronym for Kshatriyas, Harijans, Adivasis and Muslims”), were drawn towards the Hindu nationalist movement. Shani states that: “The middle and lower middle classes-castes – the Vadigam Patels and the rising groups among

the Dalits – gradually formed the social foundation of the BJP in the city” (p.890). Some pertinent extracts follow below. The essay is recommended in its entirety owing to the complexity of the conclusions drawn and the importance of the extensive contextual information provided.

The first anti-reservation agitation erupted in Ahmedabad in 1981. It was a caste conflict, primarily between Dalits and Patels, and Dalits were its main victims. During the riots of 1981 Muslims helped Dalits. Moreover, already then ‘the RSS and other Hindu communal elements did try their best to turn the anti-Dalit war into a Hindu–Muslim riot. But best of their efforts failed because all the oppressed and persecuted communities stood like one man’. During the riots of 1985 ‘the BJP and VHP provided relief, money, food and legal aid’. Residents of the locality testified that some BJP MLAs who had persecuted them during the riots of 1981, provided aid in the riots of 1985. (p.882)

...The pattern of events of the Ahmedabad riots of 1985 revealed the dynamics of the relational processes between caste and class, which underlay the growth of Hindu nationalism since the 1980s. The 1985 riots erupted over social and economic reservation benefits for the backward castes, but transformed into communal violence between Hindus and Muslims. (p.895)

...The Dariapur area, where the communal turn in the riots occurred, is a socially mixed locality within the old city of Ahmedabad, where the communities of upper caste Hindus, Dalits and Muslims resided apart. Vadigam, is an upper caste locality of Patels and Brahmins within Dariapur. It borders with the Muslim vicinity Naginapol. Some of its houses share a wall with the adjacent Muslim houses. Opposite its entrance gate reside the Dalits. (p.878)

...The upper-caste dwellers of Vadigam saw themselves as indigenously Ahmedabadies and defined themselves, in 1985, as middle and lower-middle class families. The Patels among them, Shudras by their Hindu caste status, gradually attained upper caste status since the nineteenth century and became an economically and politically dominant group in Gujarat. Within the Patel caste hierarchy in Ahmedabad, the Patels of Vadigam were considered lower in status. Most people in the locality attested that they were well settled economically at that time. The majority of them used to work in the nearby textile mills, mainly in clerical jobs or as supervisors in the weaving and spinning departments. Interestingly, although most of them used to work in the textile mills they did not see themselves as labourers, but as middle class. ...The collapse of the composite textile mills from the early 1980s and the shifting of industrial activity to the eastern periphery of Ahmedabad severely affected them and the overall economy of the walled city. ...By 1985, the most significant change for them was the downward mobility in their social and economic position. Several residents attested that ‘during that difficult time we had income problems, but social institutions like the RSS and Vadigam Seva Sangh provided relief to the people of the locality. They also gathered Hindu youths and gave them lessons. The VHP helped to find new jobs’. (p.879)

...Inter-caste division exists among the Patels. The two main groups are Leva Patels and Kadva Patels. The former are higher in status hierarchy. The Patels of Vadigam were considered lower in status in comparison to the Patels from the Khadia area in the walled city, which originated from Kheda district and mainly the Charotar. (p.879, n.54)

...The socially and politically key groups of Dalits in Ahmedabad were the Vankars and the Chamars. The Vankars, traditionally weavers, were considered to be higher in status. They came to Ahmedabad at the turn of the twentieth century in search of jobs in the developing textile industry. The Chamars arrived later. The Vankars established themselves first within the industry and the labour union. By and large, this group was able to rise in economic status. Another Dalit community that succeeded in mobilising itself, mainly through the avenue of education and governmental jobs, was the MulgamiDalits. They were considered to

be original Ahmedabadis and higher in status. The emancipation of Dalits, partly through reservations, had created a group of 'neo-Brahmin Dalit, as a politically opportunistic strata of middle class emerged among the Dalits in the city'. (pp.887-888)

...The middle and lower middle classes-castes – the Vadigam Patels and the rising groups among the Dalits – gradually formed the social foundation of the BJP in the city. Their motive and motif was to move forward. Some were able to gain economic mobility by the 1980s, but were, particularly in Gujarat, gradually excluded from the political processes. Others, despite their mobility, were able to attain neither status nor social acceptance. Interestingly, even though these groups were not experiencing the same frustrations, the Hindu nationalist movement was relatively successful in addressing the varying claims of distinct groups. The movement transformed economic contradictions among castes, between castes and among classes into communal ones. (p.890)

...Similar processes, different in content but alike in their underlying pattern, occurred in the other cities of Ahmedabad. In the eastern industrial belt severe communal violence and large-scale evictions of slums occurred, especially in Bapunagar. The social group that was particularly active in the riots was Kedva Patels from Saurashtra. This group was very close to the BJP. ...They were considered lower than the Patels of central Gujarat in their status. Members of this group did well. They started the diamond cutting industry, which by the mid-1980s dominated this part of the city (p.890) (Shani, O. 2005, 'The Rise of Hindu Nationalism in India: The Case Study of Ahmedabad in the 1980s', *Modern Asian Studies*, vol.39, no.4, pp.861-896 – Attachment 9).

An August 2007 *Rediff* report filed from Ahmedabad provides an assessment on the manner in which the Patel sub-caste groupings are said to be currently aligning themselves in political terms. The Patels are reportedly a significant part of the Gujarat electorate and are said to "constitute nearly 20 per cent of state's population". According to this report: "Patidar (Patel) community, which has voted for the Bharatiya Janata Party for the last two decades, is divided this time on the lines of sub-castes"; "Out of the two sub-castes of Patels, Leuva seem to be drifting away from the BJP while Kadva Patidars are sticking to the party":

Though the caste factor has been significant in earlier state elections, it had always been overshadowed in the last two decades by the polarisation on religious lines mainly because of the rising wave of Hindutva.

However, with the Hindutva issue losing its steam, the elections are likely to be fought more on the caste lines in the state.

The Patidar (Patel) community, which has voted for the Bharatiya Janata Party for the last two decades, is divided this time on the lines of sub-castes.

Out of the two sub-castes of Patels, Leuva seem to be drifting away from the BJP while Kadva Patidars are sticking to the party.

Leuva Patels have formed the Sardar Patel Utkarsh Samiti and started their campaign organising public meetings against Gujarat chief minister Narendra Modi at taluka levels where the population of the Patidars is high.

They plan to cover 102 talukas before the elections. Patels constitute nearly 20 per cent of state's population.

Modi's archrival Keshubhai Patel belongs to Leuva Patel sub-caste and the five MLAs recently suspended by the BJP – Gordhan Zadhavia, Dhiru Gajera, Bechar Bhadani, Bavku Unghad and Balu Tanti – also belong to this sub-caste.

On the other hand the Kadva Patel leaders who have got prominence under Modi like the present state party president Purshottam Rupala seem to have decided to continue with Modi. Another powerful OBC community the Kolis has been a traditional voters of Congress.

The BJP had managed to win over the community in the last 15 years during the Hindutva wave. However, this time the situation might change drastically.

...The Congress on the other hand is trying to woo its traditional vote banks of scheduled caste, scheduled tribes and minorities. The scheduled tribes (adivasis) community have a strong presence in the South and Central Gujarat region and have been a traditional vote bank of the Congress but had voted for the BJP in December 2002 elections after the post-Godhra riots.

The Congress has gone all out to win back the tribals and has organised rallies and public meetings in tribal areas one of which was attended by party president Sonia Gandhi. The Modi government on the other hand declared a package of Rs 13,000 crore for the development of tribals and has chalked out a plan to take out a yatra in the tribal regions of the state in the month of August.

The minority community which is around 14 per cent in the state has been the traditional vote bank of the Congress and the party is likely to retain that vote-bank in this elections also as the state offers no other secular alternative for the community (Dave, P. 2007, 'Castes may overshadow religion in Gujarat polls', *Rediff News* website, 3 August <http://www.rediff.com/news/2007/aug/03gujarat.htm> – Accessed 21 September 2007 – Attachment 12).

A 2004 *Times of India* report provides further information on the manner in which the Patel Leuva and Kadva sub-castes have related to each other politically across and within BJP and Congress politics.

For all purposes, the Patels of Gujarat are a homogenous whole, comprising nearly 25 per cent of the electorate. A rapidly progressing community, which has spread out all over the world, it is seen as the bulwark of the BJP. But scratch beneath the surface, as rival candidates are doing in Porbandar, and you find a schism which few have exploited for political reasons so far.

It so happens that the Congress candidate in Porbandar, Vitthal Radadiya, is a Leuva Patel while his rival, Hari Patel, is a Kadva Patel. The BJP leaders, including former chief minister Keshubhai Patel (Leuva), are upset over this political misuse of the sub-caste rift.

In Rajkot, the BJP candidate Vallabh Kathiriya is a Leuva while the Congress-NCP candidate Balwant Manwar is a Kadva. In Amreli, both the candidates, Dilip Sanghani of the BJP and Virji Thumar of the Congress, are Leuvas. In Mehsana, on the other hand, both Nitin Patel of BJP and Jiva Patel are Kadvas.

But it is in Porbandar, Bapu's home town, that the sub-castes are really at each other's throats. Of the estimated two lakh Patel voters here in an electorate of 10 lakh, Kadvas are an overwhelming 2/3rd, of all Patel voters. The rift is seen in the rural areas as the Kadvas are not attending meeting of Radadiya while Leuvas are turning out in huge numbers ('Patel leaders worried over sub-caste rift' 2004, *Times of India* website, 16 April <http://timesofindia.indiatimes.com/articleshow/621317.cms> – 24 September 2007 – Attachment 11).

The Bharwad

A number of Gujarat based reports were located in which persons with the Bharwad name were referred to in relation to the police and/or the ruling BJP. Some examples follow below:

- A December 2004 report states that a police constable named “Bharwad is one of the many policemen in Gujarat who have of late been arrested on criminal charges” (‘Another blot on khaki: Enforcers turn violators’ 2004, *Times of India* website, 9 December <http://timesofindia.indiatimes.com/articleshow/952566.cms> – Accessed 21 September 2007 – Attachment 13).
- In 2003 a police officer with the Patel surname led the arrest of a number of Bharwads for illegal grazing. The Bharwads reportedly complained of continual harassment (‘Bharwads get rough end of the stick’ 2003, *Times of India* website, 6 August <http://timesofindia.indiatimes.com/articleshow/116871.cms> – Accessed 21 September 2007 – Attachment 14).
- A March 2002 report alleges that a number of BJP identities were being protected by the Gujarat police in spite of being wanted for communal violence. Two of the figures listed are named Bharwad (‘Modi Protects BJP, VHP Men’ 2002, Ahmedabad.com website, source: *The Asian Age*, 5 March <http://www.ahmedabad.com/news/2k2/mar/5modi.htm> – Accessed 21 September 2007 – Attachment 15).
- A June 2000 report refers to “Jetha Bharwad, a suspended police constable-turned-businessman with underworld links, [who] won the Shera constituency in Panchmahal district on a Samajwadi Party ticket. The BJP had then accused him of rigging the results. But a year later, he joined the BJP” (Mahurkar, U. 2000, ‘Probity Posers’, *India Today* website, 26 June <http://www.india-today.com/itoday/20000626/states.html> – Accessed 21 September – Attachment 16).

Dr Vinay Gidwani’s 2000 study of the rural Kheda district of Gujarat provides information on the relationship between the Bharwads and the Patels:

Lately, Patel domination in rural Kheda has also been challenged by a numerically small caste group, the Bharwads. Pastoralists by vocation, who earlier made a living by tending village cattle (for which they were paid a maund – 20 kilograms – of wheat annually by each patron), Bharwads have been able to capitalize on the cooperative dairy movement in Kheda to accumulate large cash surpluses. They have enterprisingly chosen to circulate these surpluses in moneylending or else used them for land purchases. In the short span of four decades, Bharwads have risen from being marginal cultivators to being, in some villages, the largest landowners. The sudden prosperity of the Bharwads has evoked widespread resentment. Patels, for instance, harbor great animosity toward them (p.163) (Gidwani, V. 2000, ‘The Quest for Distinction: A Reappraisal of the Rural Labor Process in Kheda District (Gujarat), India’, *Economic Geography*, vol. 76, no. 2, pp. 145-168 – Attachment 10).

Previously, in an abstract for a 1997 paper, Dr Vinay Gidwani provided the following information on the Bharwad caste, noting that the Bharwads, along with the Koli group, “have federated politically under the title of ‘kshatriyas’ in an effort to displace Patels from positions of local authority, to resist further economic subjugation by them, as well as affirm upper caste-but, in order to reap government benefits, backward class-status”:

Over the past 250 years, the Leva Patels of Kheda District have exercised controlling influence over the society, economy, and polity of central Gujarat. Through judicious mix of collaboration and resistance they have been effective in preventing successive state regimes from corroding their power. Monopolization of local government institutions (milk and credit cooperatives) and enterprising use of accumulated capital has allowed Patels to consolidate their dominance. Although riven by factionalism and fiercely hierarchical in attitude Patels have consistently managed to display corporate solidarity in face of threats from rival caste groups. Historically, their subordination of other groups has been achieved through a deft combination of patronage, force, debt bondage, and politicking.

Lately, Kolis and Baraiyas-sub-castes of disputed origin, who have borne the brunt of Patel exploitation-have federated politically under the title of “kshatriyas” in an effort to displace Patels from positions of local authority, to resist further economic subjugation by them, as well as affirm upper caste-but, in order to reap government benefits, backward class-status. **Patel domination has also been challenged by Bharwads, who, as pastoralists, have profited enormously from the cooperative dairy movement. Some previously landless bharwads have become the largest landowners in their villages**, thereby underlining the indeterminacy of agrarian change (Gidwani, V. 1997, ‘The Politics of Identity, Domination, and Accumulation: Agrarian Change in Kheda District, Gujarat’, in: ‘Session 166: Agrarian Change and Local Politics in India’, Association for Asian Studies website <http://www.aasianst.org/absts/1997abst/southasi/sa166.htm> – Accessed 21 September 2007 – Attachment 17).

According to Professor Harald Tambs-Lyche: “Bharwads generally herd sheep or goats (though quite a few also have cows), and are traditionally seen as the lowest among the pastoral castes. They are also the most urbanized group, and monopolize the niche of milk merchants. They have proved capable of adapting themselves to present changes, and tend, at least in Saurashtra, to rise in the hierarchy” (undated) (Tambs-Lyche, H. (undated), ‘Between The Desert And The Sown : Pastoralists Of Western India Through The Centuries’, The University of Edinburgh website http://www.sociology.ed.ac.uk/sas/papers/panel20_tambs.rtf – Accessed 21 September 2007 – Attachment 18).

The available sources provide information which suggests that, while some Bharwads are upwardly mobile, Bharwads may, nonetheless, be perceived, in traditional terms, as belonging to the lower strata of the pastoralist castes. It would not appear, however, that Bharwads are necessarily perceived as Dalits. For instance, in referring to the Bharwad caste India’s Society for Women’s Action & Training Initiative (SWATI) differentiates Bharwads from Dalits and refers to the Bharwads as an other backward caste: “These villages are dominated by economically and socially marginalized castes groups of Dalits, Bharwad (OBCs) and Koli patels (OBCs). Out of total 84 girls presently enrolled in the classes 20 are Dalits and 64 belong to OBC (Other Back ward castes) communities of Koli patel (mainly salt pan workers) and Bharwads a cattle rearing community” (Kathuria, P., *et al* (undated), ‘Taking Charge-Building Women’s Control over Resources’, Society for Women’s Action & Training Initiative website <http://www.swati.org.in/Ann-rep-taking%20Charge-2003%20final.doc> – Accessed 21 September 2007 – Attachment 19).

The Adivasi

Dr Sathianathan Clarke provides the following background on the Adivasi identity; noting the use of this broad term to refer to India’s tribal communities and providing information on the

relationship between the Adivasi identity, the Dalit identity, and the Hindutva movement associated with the BJP and its Hindu nationalist allies.

In India the term “minorities” refers to religious communities present in much smaller numbers than Hindus – Muslims, Christians, Buddhists, Jains, Sikhs, and Parsis/Zoroastrians. ...“Minorities” may also allude to those communities that have traditionally been kept outside the Hindu-based caste system – Dalits and Adivasis (or Tribals). Dalits number between 180 and 200 million and Adivasis number between 85 and 90 million in a population that has now crossed the one billion mark. While they are now included into the general category of Hinduism, these groups have been treated with overt hostility and repression, and have been the target of concerted and calculated attacks from the majority community. Christianity is also targeted violently and systematically in contemporary India, especially Christians who have been identified as Dalits and Adivasis. An analysis of the ideology and agenda of Hindu nationalism in an historical perspective will reveal the way in which the Dalits and Adivasis are perceived to present a threat to the fulfillment of this nationalist agenda. The Hinduization of India manifests itself with a propensity to eradicate all forms of variant plurality.

Indian society is divided into three communities – caste, outcaste (Dalit), and indigenous (Adivasi). First, the *caste community* consists of four castes that are hierarchically ordered) The Brahmins (priests) are the preservers and protectors of the eternal laws of the Universe (Dharma); the Ksatriyas (rulers and warriors) are the defenders and the guarantors of the safety and security of the community; the Vaisyas (business persons) are the conservers and distributors of wealth; and the Sudras (the laborers) are the working majority involved in the production of essential commodities. Although there is a clear separation between the first three castes, which are ritually pure and socioeconomically dominant (referred to as the twice-born), and the fourth laboring caste, which is ritually suspect and socioeconomically dominated (referred to as the once-born), together they form the Hindu human community.

Second, related to, but outside of, these four segments of the Indian human society there exists a fifth *outcaste community*. Even though this populace consists of about 15-20 percent of the Indian community it is considered sub- or nonhuman; thus it is not included in the community’s composition. This large group has been ejected from the contours of Hindu society; it still lives outside the gates under the labels “outcaste,” “untouchable,” “exterior caste,” “depressed class,” and “Dalit.” I use the term “Dalit” in this paper for three reasons. First, this term has become an expression of self-representation, which Dalit activists and writers have chosen both in recovering their past identity and in projecting themselves as a collective whole? Second, “Dalit” comes from the root dal meaning “oppressed,” “broken,” and “crushed,” which realistically describes the lives of members of this community.

...The third community includes many more or less homogeneous indigenous communities, which are not obligated to the Indian caste system yet are marginalized by caste communities. These have been grouped under the term “Adivasis,” and they are also referred to as Tribals or Schedule Tribes (ST). India has the largest concentration of such indigenous and tribal people. “India has 427 ‘scheduled’ tribes – each unique in its own right. As many as 400 tribes exist in India... they ostensibly are a major segment of the Indian social fabric, with a legitimate share in the subcontinent’s unmatched pluralities.”⁶ The numerous Adivasis of India can be classified under three major racial and linguistic groups, which are spread over the mountainous and the plateau regions of the country: the Austric Munda language family group; the Dravidian group; and the Tibeto-Burman Mongoloid group. “Adivasis” (meaning the ancient or original dwellers of the land) is utilized here to retain an awareness of their claim to being the original people of the land and to point to their cultural and religious relatedness to things of the earth. Further, according to a recent article entitled “Call us Adivasis, Please,” Gail Omvedt suggests that this is the term by which they want to be known. The Adivasis “generally have lived through exploitative, oppressive and suppressive

social and political structures in India.” Mostly, they have been alienated from their land both by “greedy” caste communities and by overzealous governments, which take away tribal land for mining and big industries.” Thus, poverty and estrangement from the means of their livelihood (the land) threaten Adivasi communities in India. Along with this, there is a serious threat to their traditional culture and worldview from the forces of modernization and Hinduization.

...Hindu nationalism, which is alive and well in India today, is concertedly engaged in the assignment of absorbing minorities into its ideology. Driven by the ideology of Hindutva – a term coined by V. D. Savarkar which has always advocated a comprehensive project involving the coming together of culture, society, and politics, it seeks to fuse all the distinct particularities and differences of religious minorities (Muslims and Christians) and ethnocultural minorities (Dalits and Adivasis) into its Brahmanic construction of an Indian nation. Thus, Hindutva threatens all minorities in the Indian nation who assert features of their distinct variance from this imagined homogeneous identity. Historically, the emergence of Hindu nationalism with its founding credo of Hindutva must be seen within the context of colonialism.

...The interpretation of Dalit and Adivasi communities in this common nation, common race, and common civilization (religio-cultural heritage) is somewhat mixed. On the one hand, the ideology of Hindutva, as propounded by Savarkar, asserts that all communities, be they Brahmin or Dalit or Adivasi, share in a common blood. This testimony of a common flow of blood “is true not only in the case of those that are the outcome of the intermarriages between the chief four castes, or between the chief four castes and the cross-born but also in the case of those tribes or races who somewhere in the dimness of the hoary past were leading a separate and self-centred life.” This biological connectedness among all communities in India, which affirms the anthropological basis of Dalit and Adivasi existence, is a major step in espousing the universalization of human rights for all people.

...On the other hand, there is reason to believe that the hierarchy of the fourfold caste system is maintained in Savarkar’s philosophy, even if tacitly. In fact, the relationship of the various caste groups operates on the historical principle of assimilation and absorption by which the “noble stream,” the sublime Vedic blood, incorporates the “lost souls,” thus saving them from “being lost in bogs and sands.”

...While Hinduization of the Indian nation has a long history it has become a particularly grave threat to minorities over the last decade with the political ascendancy of the presently ruling Bharatiya Janata Party (BJP). The BJP, in turn, is firmly supported by its Hindu communal network of the Rashtriya Swayamsevak Sangh. The RSS (National Volunteer Corps), founded in 1925, also works through many other related political and sociocultural organizations such as the Vishwa Hindu Parishad (VHP), Bajrang Dal (BD), and the Shiv Sena party (SS). This means that the state has become susceptible to the devices of Hindu nationalism; Hindutva has covertly and overtly gained a foothold in the everyday workings of the nation. ... Dalits and Adivasis (Christians included) are the targets of a well-orchestrated campaign. There is a systematic effort to educate them at the grassroots level of their religio-cultural space within Hinduism. The RSS has started village- level educational units that enable teachers well-versed in the ideology of Hindutva to live with and instruct minority communities about their nation, heritage, and civilization. It is estimated that there are at least 2.4 million pupils and 80,000 teachers in these Vidya Bharati schools run by the RSS-VHP coalition. And “much of the text being taught” in such schools “is designed to promote bigotry and religious fanaticism in the name of inculcating knowledge of [Indian/Hindu] culture in the younger generation.”

...There are ongoing efforts of various Hindu nationalist organizations to ‘reconvert’ Dalits and Adivasis from non-Indian religions (Christianity and Islam) back to their original Hindu fold. For example, on 2 June 2000 as many as 72 Christian Adivasis reconverted to Hinduism in Manaharpur village in Orissa’s Keonjhar district? The reversion is bolstered by a similar presupposition that all those who live in the geographical limits of India are nothing other than Hindus, even if there is a dominant and credible argument made by these communities that they are not only non-Hindu but pre-Hindu in composition.

...Second, the coercive left of Hindu nationalism complements the persuasive right. If the latter is meant to entice and cajole, the former is meant to admonish and punish. There can be no doubt that the violence unleashed on minority communities that resist the pan-Hindu identity has increased. In a methodical and widely-researched monograph published recently, Human Rights Watch documents the increasing violence directed against Dalits: “Between 1994 and 1996, a total of 98,349 cases were registered with the police nationwide as crimes against scheduled castes (Clarke, S. 2002, ‘Hindutva, Religious and Ethnocultural Minorities, and Indian-Christian Theology’, religion-online.org website <http://www.religion-online.org/showarticle.asp?title=2449> – Accessed 21 September 2007 – Attachment 20).

An April 2004 report provides comment on the manner in which the BJP have sought to cultivate the support of the Adivasi communities (and Dalit communities also) in recent elections:

Over the last 15 years, the Vishwa Hindu Parishad has been trying to get the largely Christian Adivasi population here to embrace Hinduism.

“The VHP says it is doing religious work. But if you go for any of their big meetings, you will realise that they are political rallies. Politicians are present. In their religious sammelans, they spread hatred about Christians and Muslims. Even their social work is one-sided,” said Raisinh Vasava from nearby Umerkhadi.

Raisinh has run through the entire gamut of religious outfits – from the missionaries to the VHP. He left the VHP a few years ago to join an Adivasi rights organisation. Explaining the VHP’s modus operandi, he says: “They recruit the more educated people in the village and try to get a hold of the community through them. They break the unity in a village.”

“Initially, the missionaries did a lot of work here. They built schools and community centres. But later, they became like politicians,” says Kuvarji Vasava, whose son Mansinh runs a VHP creche here. “The Ayodhya campaign started at a time when we were disgusted with the missionaries. So, many of us were drawn to Hinduism.” The Ram temple campaign awakened a ‘Hindu’ identity among people who had never even known what an aarti was. That was when the BJP/VHP struck roots in the Adivasi areas.

Most Adivasi areas were Congress strongholds. But over the years, the BJP managed to establish a hold. In the last Lok Sabha elections, the BJP won all the four reserved Scheduled Tribe seats. “People were united during the Congress rule. But they didn’t do much. That really angered people,” says Danubhai. Even now, the Congress presence is minimal, compared to the Sangh Parivar’s active network.

In the 1980s, the Congress had gained popularity using the KHAM (Kshatriya, Harijan, Adivasi and Muslim) formula. Its policies were geared towards the downtrodden. However, over the years, the BJP has cut into the Congress vote bank, not only in Adivasi areas but also among the OBCs and Dalits.

“Yes, the BJP has got Dalit support. But it is mainly in urban areas. That is because the impact is largely confined to the cities. Moreover, the BJP has many wings of the Sangh

Parivar working for it. The Congress is not as organised,” says Praveen Rashtrapal, a Congress MP from Patan, a constituency reserved for Scheduled Castes. Of the two reserved SC seats, the BJP won one last time.

Even in the cities, some Dalits have seen through the BJP’s plan. “Because of the riots, we voted for the BJP. But we won’t make the same mistake again. They fooled us. They were the ones who started the riots. But they made us believe that they would save us. They have done nothing. This time, we won’t vote for them,” says Mehru Vaghela, a resident of Gomtipur, Ahmedabad’s mill area. A large chunk of Dalit mill workers live here. Most mills shut down. Many unemployed are just hanging around the streets.

...Unlike in other States, Dalits in Gujarat haven’t been able to mobilise an alternative political force. Mainly because they constitute only 7 per cent of the population, unlike in States such as Maharashtra where they are 27 per cent.

“Poorer sections tend to move from one party to another because they try to get the benefits of power. That is maybe why some of them support the BJP. However, you can’t generalise on a Dalit vote or Adivasi vote,” says Ramesh Parmar, a Dalit activist (Bunsha, D. 2004, ‘Saffronisation, Adivasis and the politics of south Gujarat’, *The Hindu* website, 16 April <http://www.hinduonnet.com/thehindu/2004/04/16/stories/2004041602271200.htm> – Accessed 21 September 2007 – Attachment 21).

3. Are there any Gujarat politicians who are Dalits, especially around Ahmedabad?

No specific reports could be located which made specific reference to Dalit politicians in Ahmedabad. Nonetheless, information sourced from the website of the Election Commission of India indicates that Gujarat’s ruling Bharatiya Janata Party (BJP) were very successful at the most recent elections in winning seats reserved for scheduled castes and scheduled tribes. Information was also located on the relationship between Gujarat’s Dalit electorate and the BJP state government.

2002 BJP SC and ST state election winning candidates

At the most recent state election, in 2002, the BJP won 9 of the available 13 scheduled caste (SC) seats. The winning BJP candidates for these seats are listed below:

CONSTITUENCY	WINNER	SEX	PARTY
4. MUNDRA (SC)	DHUA GOPALBHAI GABHABHAI	M	BJP
19. RAJKOT RURAL (SC)	PARMAR SIDDHARTH MAYARAM	M	BJP
36. KESHOD (SC)	BORICHA MADHABHAI LAKHABHAI	M	BJP
61. BAVLA (SC)	LAKUM KANTIBHAI RAMABHAI	M	BJP
74. SHAHER KOTDA (SC)	VAGHELA JITENDRAKUMAR UMAKANT	M	BJP
82. JOTANA (SC)	ISHWARBHAI DHANABHAI MAKWANA	M	BJP
104. IDAR (SC)	VORA RAMANLAL ISHWARLAL	M	BJP
136. SOJITRA (SC)	AMBALAL ASHABHAI ROHIT	M	BJP
153. KARJAN (SC)	KANODIA NARESHKUMAR MITHALAL	M	BJP

(‘Key Highlights of General Election, 2002 to the Legislative Assembly of Gujarat’ 2002, Election Commission of India website – Attachment 22).

At the most recent state election, in 2004, the BJP won 13 of the available 26 scheduled tribe (ST) seats. The winning BJP candidates for these seats are listed below:

CONSTITUENCY	WINNER	SEX	PARTY
112. JHALOD (ST)	KATARA BHURABHAI JETABHAI	M	BJP
113. LIMDI (ST)	BHURIYA MAHESHBHAI SOMJIBHAI	M	BJP
114. DOHAD (ST)	DAMOR TERSINHBHAI BADIYABHAI	M	BJP
115. LIMKHEDA (ST)	BABUBHAI SONIYABHAI BHABHOR	M	BJP
123. RANDHIKPUR (ST)	JASVANTSINH SUMANBHAI BHABHOR	M	BJP
141. CHHOTA UDAIPUR (ST)	RATHWA SHANKARBHAI VICHHIYABHAI	M	BJP
143. NASVADI (ST)	BHIL KANTIBHAI TRIKAMBHAI	M	BJP
144. SANKHEDA (ST)	TADVI KANTIBHAI BHAIJIBHAI	M	BJP
160. RAJPIPLA (ST)	VASAVA HARSHADBHAI CHUNILAL	M	BJP
162. MANGROL (ST)	VASAVA GANPATBHAI VESTABHAI	M	BJP
165. MAHUVA (ST)	DHODIYA MOHANBHAI DHANJIBHAI	M	BJP
167. KAMREJ (ST)	RATHOD PRAVINBHAI CHHAGANBHAI	M	BJP
174. NAVSARI (ST)	PATEL MANGUBHAI CHHAGANBHAI	M	BJP

(‘Key Highlights of General Election, 2002 to the Legislative Assembly of Gujarat’ 2002, Election Commission of India website – Attachment 22).

It may also be of interest that one of the BJP’s winning candidates at the 2002 state election featured the name “BHARWAD”. The seat in question is not an SC or ST reserved seat:

CONSTITUENCY	WINNER	SEX	PARTY
121. SHEHRA	AHIR (BHARWAD) JETHABHAI GHELABHAI	M	BJP

(‘Key Highlights of General Election, 2002 to the Legislative Assembly of Gujarat’ 2002, Election Commission of India website – Attachment 22).

Another 2002 article providing figures on party candidates and caste for the then upcoming Gujarat elections which seems to indicate that the BJP only put up Dalit and Adivasi candidates in SC and ST reserved seats:

As a caste, OBCs seem to have gained in both parties. In an effort to counter Vaghela’s strong support amongst OBCs, the BJP distributed a larger share of 56 seats to OBCs, as compared to 40 in the last election. Under Vaghela’s leadership, his OBC supporters have also got more Congress(I) tickets. This time, the Congress(I) nominated 57 OBC candidates as compared to 48 in the last election. The Congress(I) has also tried to woo the Patels, traditional BJP supporters, who are now miffed after Keshubhai’s ouster. It has nominated 41 Patels, as compared to 34 in the last election. The BJP has reduced the number of its Patel candidates to

46, as compared to 53 in the last election. The BJP hasn't put up a single Muslim candidate, while the Congress(I) has nominated five Muslim candidates. Dalits and Adivasis have been nominated from reserved seats (The Times of India, November 27th) (Bunsha, D. 2002, 'Vote for phobia', dionnebunsha.com website, source: *Frontline*, 7-20 December <http://dionnebunsha.blogspot.com/2006/11/vote-for-phobia.html> – Accessed 21 September 2007 – Attachment 24).

In reporting on the BJP candidate list announced for the 2002 Gujarat state election, Rediff News states: "The 144-candidate list includes two former MPs, three former MLAs, ten belonging to the Scheduled Caste, 26 to the Scheduled Tribes and eight women" ('BJP releases first list, Modi to contest from Maninagar' 2002, *Rediff News* website, 19 November <http://www.rediff.com/election/2002/nov/19guj1.htm> – Accessed 21 September 2007 – Attachment 25).

2004 BJP SC and ST national election winning candidates

In the most recent national (Lok Sabha) elections the BJP won both of the 2 available scheduled caste (SC) seats and 1 of the 4 available scheduled tribe (ST) seats. The winning BJP candidates for these seats are listed below:

CONSTITUENCY	WINNER	PARTY
9. DHANDHUKA (SC)	VARMA RATILAL KALIDAS	BJP
13. PATAN (SC)	KANODIA MAHESHKUMAR MITHABHAI	BJP
17. DOHAD (ST)	KATARA BABUBHAI KHIMABHAI	BJP

(Statistical Report On General Elections, 2004 To The 14th Lok Sabha, Volume I (National And State Abstracts & Detailed Results)' 2004, Election Commission of India website http://www.eci.gov.in/SR_KeyHighLights/LS_2004/Vol_I_LS_2004.pdf – Accessed 21 September 2007 – Attachment 23).

Dalits and the BJP in Gujarat

A March 2007 report published in Pakistan's *The News* provides an assessment of why, in Gujarat, "dalits, backwards and tribals find it politically beneficial to be part of Hindutva parivar":

Why is the Gujarat society so polarised today? The BJP has won over dalits, backwards and tribals in its political fold and thus Hindus, despite deep internal cleavages appear to be united. There has never been a strong dalit movement in Gujarat emphasising their own separate identity like in Maharashtra and other states. There has been no reform movement either. Thus in absence of such a movement dalits, backwards and tribals find it politically beneficial to be part of Hindutva parivar (Engineer, A.A. 2007, 'Gujarat carnage – an overview', *The News* website, source: *Secular Perspective*, 30 March http://www.thenews.com.pk/daily_detail.asp?id=48956 – Accessed 21 September 2007 – Attachment 26).

A 2002 *Frontline* article on politics in Gujarat comments on the manner in which, "by the mid-1980s, the BJP changed its stand towards Dalits in a bid to co-opt them":

The backlash from Brahmins, Baniyas and Patidars took the form of an anti-reservation agitation in 1981. They objected to the reservation system that gave Dalits access to medical and engineering colleges. It led to riots in which Dalits were targeted in 18 of Gujarat's 19 districts. During these riots, Muslims sheltered Dalits, in some instances. The second anti-reservation riots were in 1985. "Although the agitation was against the hike in job quotas for

the OBCs in government and educational institutions, the victims were all Dalits,” says Yagnik.

However, by the mid-1980s, the BJP changed its stand towards Dalits in a bid to co-opt them. Realising the largeness of the number of Dalits and Scheduled Tribe and OBC persons in the State, who together account for 75 per cent of the population, the BJP started attempts to unite all castes under the Hindutva plank. It corrected its anti-reservation stand and was able to reap the gains of this move. When riots broke out in 1986 during Ahmedabad’s annual Jagannath rath yatra, the BJP managed to garner the support of the OBCs and Dalits. This marked a shift in its support base.

When riots broke out all over Gujarat in 1990 during L.K. Advani’s rath yatra, Dalits and middle class Hindus were set against Muslims. The 1990 riots showed that the communal divide had deepened considerably, says Yagnik. Incidentally, the man who spearheaded the rath yatra campaign in Gujarat was none other than the present Chief Minister, Narendra Modi, who was then the general secretary of the State BJP. Also, it was after 1990 that the process of ghettoisation got under way in all three areas of Ahmedabad – the old walled city, the industrial mill areas and the new middle class and elite town. The 1992 riots after the demolition of the Babri Masjid ghettoised the city further. The current round of violence is likely to cause even further spatial segregation of the two communities (Bunsha, D. 2002, ‘The Hindutva experiment’, *Frontline* website, vol.19, no.10, 11-24 May <http://www.frontlineonnet.com/fl1910/19100160.htm> – Accessed 25 September 2007 – Attachment 27).

4. Is it likely that the police would withhold protection, in favour of Dalits?

As is noted above in response to Question 1, a wide body of literature exists to suggest that, generally speaking, Dalits are poorly served by India’s police forces and that police forces have exploited Dalits as objects of extortion and vilification. It should also be noted that there is a wide body of literature to suggest that the Indian public, in general, can experience problems in requesting security assistance from India’s police forces; which are said to be inefficient, corrupt and indifferent in such matters. In October Transparency International published its, *India Corruption Study*, “the largest corruption survey ever undertaken in the country with a sample of 14,405 respondents, spread over 151 cities and 306 villages of 20 States”. The study found that, in states enjoying medium levels of police staffing, such as Gujarat, an average of 33% of respondents reported that a bribe was required in order to have local police file the First Information Report (FIR) which is required to set “the process of criminal justice in motion”. A number of news reports were also located which referred to the ineffectiveness of Gujarat’s police force. Widely criticized for showing anti-Muslim bias during the outbreaks of communal violence which affected Gujarat state in 2002, the Gujarat police have also been criticized for their indifference towards the security of the wider population in day-to-day terms. (For the frequent necessity of a bribe to obtain police assistance in India, see: Transparency International India 2005, *India Corruption Study 2005*, October, pp.5, 29 & 34 <http://www.tiindia.in/data/files/India%20Corruption%20Study-2005.pdf> – 18 October 2006 – Attachment 28; on the general ineffectiveness of Gujarat police, see: Singh, S. 2002, ‘Gujarat police has lost all interest in work’, *Times of India* website, 10 April <http://timesofindia.indiatimes.com/articleshow/6404701.cms> – Accessed 21 September 2007 – Attachment 29; see also: Gatade, S. 2003, ‘Lumpens in the constabulary: Gujarat’, *Himal South Asian* website, October http://www.himalmag.com/2003/october/report_4.htm – Accessed 21 September 2007 –

Attachment 30; some reports have alleged the involvement of Gujarat police officers in contract killings, see: Delhi, M.G. 2005, 'Terminate with extreme prejudice!', *HardNews* website, November <http://www.hardnewsmedia.com/portal/2007/06/981> – Accessed 21 September 2007 – Attachment 31; and: Kumara, K. 2007, 'India: Gujarat police murders covered up as terrorist "encounters"', World Socialist Web Site, 9 May <http://www.wsws.org/articles/2007/may2007/indi-m09.shtml> – Accessed 21 September 2007 – Attachment 32).

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