



Australian Government
Refugee Review Tribunal

Country Advice

India

India – IND39636 – Christian – Hyderabad
– Hindu Nationalists – State Protection –
Relocation

15 November 2011

1. Was there a protest against anti-Christian violence in New Delhi on or near the date of 27 May 2007? If so, were around 4000 protesters arrested?

There is no report of a protest against anti-Christian violence in New Delhi on 27 May 2007. On 29 May 2007, protestors from several states in India participated in a rally in New Delhi called “Stop Violence On Christians”. The rally started at 10 am at Jantar Mantar near the Parliament in New Delhi. A crowd of approximately five thousand people among whom were Buddhists, Catholics, Evangelicals, Hindus and Muslims marched at about 12.15 pm. Some four thousand were arrested at 1.05 pm and released at 2.10 pm by the Station House Officer of Parliament Street, Police Station and in a procedure described as:

standard practice for protestors who obstruct traffic to be detoured into the police station yard. They are temporarily detained for their own protection and allowed to state their demands to police authorities.¹

2. Deleted.

3. In the last 5 years, have the Bajrang Dal, Vishwa Hindu Parishad or Shiv Sena targeted Christians (including converts) in Hyderabad?

There is information that Hindu extremists target Christians in Hyderabad (capital city of the state of Andhra Pradesh), however these reports do not always provide information on the name of the extremist group. The US Commission on International Religious Freedom provides information on the affiliation of these nationalist groups:

Many of these organizations exist under the banner of the Sangh Parivar, a “family” of over 30 organizations that includes the Vishwa Hindu Parishad (VHP), Bajrang Dal, Rashtriya Swayamsevak Sangh (RSS), and the BJP [Country Advisor’s note: BJP Bharatiya Janata Party, currently in the opposition in the parliament].²

According to the most recent US Department of State ‘International Religious Freedom Report’ Report on India, in 2007 Andhra Pradesh enacted the ‘Propagation of Other Religions in the Places of Worship or Prayer (Prohibition) Law’. Until now the state has identified only Hindu religious sites for this protection. Punishment for violations of the act can include

¹ All India Christian Council (AICC) 2007, ‘Thousands of Christians “arrested” in peaceful protest against growing anti-Christian violence’, 29 May <http://indianchristians.in/news/content/view/1316/42/> - Accessed 19 March 2009

² US Commission on International Religious Freedom 2011, *Annual Report of the United States Commission on International Religious Freedom - India*, May, p245 <http://www.uscirf.gov/images/ar2011/india2011.pdf> Accessed 13 December 2011

imprisonment up to three years and fines up to 5,312 rupees (\$125). To date there have been no prosecutions under the act.³

Compass Direct provides regular chronological reports of incidents in which Christians are victims of violence and Asia News also monitor the situation for Christians across the world. A sample of these reports of attacks perpetrated against Christians in Hyderabad by Hindu extremists, during the last five years is detailed below:

2007

(Compass Direct News) Andhra Pradesh, April 20– Hindu extremists launched an attack on the Bethel Church in Kabir Nagar area in Hyderabad, the capital of Andhra Pradesh state, on April 15. According to Dr. Sajan K. George, national president of the Global Council of Indian Christians (GCIC), at least three Christians, including a 3-year-old girl and the church pastor, received injuries in the attack that took place during a Sunday morning worship service. There were at least 20 people attending the church. “The assailants [identified only as Vamsi Krishna, Vishal and Thilak] stormed the service and covered Pastor Ravi Paul’s face with a paper and began hitting him with wooden clubs and fists,” George said. “They did not even spare an orphan girl [identified as Quency], who received minor injuries.” Pastor Paul’s eye was injured, and he received some internal injuries. Another Christian, Kiran Paul, received a hand fracture. The attackers fled after villagers came to rescue the Christians, but before leaving threatened to kill the pastor. The GCIC helped the victims to file a complaint in the Santhi Nagar police station.⁴

(Asia News) In another incident on April 5, Hyderabad police interrogated 27 American tourists from the Youth Wing Mission who had visited some poor neighbourhoods giving out candies and sweets... For Mgr Marampudi Joji, “Christians in Andhra Pradesh are always suspect to [Hindu] extremists. They are intimidated on the pretext that they allegedly try to convert others. [In reality] the extremists do not miss a chance to attack the Christian faith and believers... “On Good Friday, I led the Via Crucis through the main streets of Secunderabad [Country Advisor’s note: Secunderabad is part of the Greater Hyderabad Municipality] carrying a heavy cross part of the way. The entire diocese took part in the procession. But then rumours spread that there were some ‘Christian agitators.’ Fortunately, we were so numerous that nothing happened to us,” he said.⁵

2008

(Asia News) 38 year old Fr. Thomas Pandippallyil, was assassinated on the night of August 16th on his way to a village to celebrate Sunday mass. His body showed signs of torture, with wounds to his face, his hands and legs broken and his eyes pulled from their sockets. The bishop of Hyderabad denounces the growing climate of “violence against Catholics” in the country... “Father Thomas is a martyr: he sacrificed his life for the poor and marginalised. But he did not die in vain, because his body and his blood enrich the Church in India, particularly the Church in Andhra Pradesh”. Those are the words of Msgr. Marampudi Joji, archbishop of Hyderabad and secretary of the

³ US Department of State 2011, *2010 International Religious Freedom Report (July-December)- India*, 13 September, Section II

⁴ India, ‘News Briefs’ 2007, *Compass Direct*, April,

http://www.compassdirect.org/english/country/india/2007/newsarticle_4838.html - Accessed 5 December 2011

⁵ Carvalho, N 2007, ‘Persecution strengthens our faith, says archbishop of Hyderabad’ *Asia News*, 12 April <http://www.asianews.it/news-en/Persecution-strengthens-our-faith,-says-archbishop-of-Hyderabad-8986.html> – Accessed 6 December 2011

bishops' conference of Andhra Pradesh (a state in South East India), commenting the barbarous killing of the Carmelite priest Thomas Pandippallyil, 38, assassinated on the night of August 16th in Mosalikunta, on the road between Lingampet and Yellareddy, 90 km from the regional capital.⁶

2009

(Compass Direct News) Andhra Pradesh – Police on June 7 arrested pastor David Raju on a baseless complaint of forceful conversion from Hindu extremists in Hyderabad. According to the Evangelical Fellowship of India, Pastor Raju was invited by local Christians in Mangalagiri to preach in their church. Upon his arrival, about 20 extremists gathered and began beating the pastor, accusing him of forceful conversion and distributing gospel tracts. The Hindu hardliners later dragged the pastor to a local police station, where he was detained for about eight hours. With help from local Christian leaders, the accused reached an agreement with the Hindu extremists in which the pastor was given permission to continue Christian meetings in the area and the Christians forgave the extremists.⁷

2010

(Compass Direct News) Andhra Pradesh – About 50 Hindu extremists on Jan. 29 accused a pastor of forceful conversion and forced him to eat food offered to Hindu idols in Secunderabad. The All India Christian Council reported that the extremists stopped Pastor Satyam Yellasiri of Good Shepherd Community Church at about 9:30 p.m. as he was returning from a birthday celebration and accused him of forceful conversion. The extremists forced him to eat the food offered to Hindu idols and threatened to beat him when he refused. Police, alerted by the extremists, arrived and took the pastor to the police station, where they detained him for two hours. Officers initially refused to register his complaint against his assailants. The next day, though, with area Christian leaders intervening, police accepted the complaint. Officers claimed they detained the pastor as a safety measure and assured the Christians that immediate action would be taken against the attackers.⁸

(Compass Direct News) Andhra Pradesh – Hindu extremists on Jan. 10 stormed a house church, disrupting worship and beating a pastor in Jilleguda L.B. Nagar, Hyderabad. The Global Council of Indian Christians (GCIC) reported that at 9 a.m. nearly 50 area extremists belonging to the Rashtriya Swayamsevak Sangh barged into Heavens Glory Church, shouting Hindu devotional chants. Repeatedly slapping Pastor Benhur Johnson, they falsely accused him of forcible conversion and warned him against conducting Christian services in the area. The extremists also beat some who came forward to help the pastor. A GCIC regional coordinator told Compass that Christians telephoned police, who rushed to the church and stopped the attack. Pastor Johnson along with other Christians went to police to register a complaint, but an official mediated an agreement between them and the extremists. The pastor told Compass that no worship was held on Jan. 17 or 24 out of fear of another attack.⁹

⁶ Carvalho, N 2008, 'More martyrs: a Carmelite priest is massacred in Andhra Pradesh', *Asia News*, 18 August <http://www.asianews.it/news-en/More-martyrs:-a-Carmelite-priest-is-massacred-in-Andhra-Pradesh-13005.html> – Accessed 6 December 2011

⁷ 'India Recent Incidents of Persecution' 2009, *Compass Direct*, July, <http://www.compassdirect.org/english/country/india/3788> - Accessed 5 December 2011

⁸ 'India Recent Incidents of Persecution' 2010, *Compass Direct*, March <http://www.compassdirect.org/english/country/india/15839> - Accessed 6 December 2011

⁹ 'India. Recent Incidents of Persecution' 2010, *Compass Direct*, March <http://www.compassdirect.org/english/country/india/15839> - Accessed 6 December 2011

A recent incident involving a Baptist pastor occurred in Nalgonda district approximately 100 kilometres from Hyderabad:

2011

(Asia News) On 3 July, the pastor of Independent Baptist Church, was returning home after the church service attended by about 20 families. Suddenly, four radical Hindus apprehended him and stabbed him. Witnesses at the scene called an ambulance, which brought the Pastor to the Government Hospital in Nalgonda. Two days later, Fr. Paul was transferred Osmania Government Hospital in Hyderabad, where he underwent an operation and currently continues his hospital stay.

According to Sajan George, the state is partly complicit in the violence against Christians: "The fundamentalists are encouraged by the failure of law enforcement and lack of will in ensuring justice to innocent Christians, victims of persecution."

Throughout India, in fact, justice for the victims of fundamentalism is slow in coming.¹⁰

4. Do these groups have reach outside the state?

The US Commission on International Religious Freedom report cited above explains how these groups are linked to other similar Hindu nationalist groups:

Hindu nationalist organizations retain broad popular support in many communities in India. The activities of these groups, especially those with an extremist agenda or history of using violence against minorities, often negatively impact the status of religious freedom in the country. Many of these organizations exist under the banner of the Sangh Parivar, a "family" of over 30 organizations that includes the Vishwa Hindu Parishad (VHP), Bajrang Dal, Rashtriya Swayamsevak Sangh (RSS), and the BJP. Sangh Parivar entities aggressively press for governmental policies to promote a Hindu nationalist agenda, and adhere in varying degrees to an ideology of Hindutva, which holds non-Hindus as foreign to India. It appears that Indian states that have or are contemplating "Freedom of Religion" Acts and that are governed by Hindu nationalist political parties have higher incidents of violence and harassment against religious minorities.¹¹

In 2007, Hindu nationalist groups have committed more one than thousand attacks against Christians. Many attacks occurred in the state of Orissa where Hindu extremists members of the Vishwa Hindu Parishad attacked Christians. In April 2007 in Rajasthan state the Bajrang Dal [youth wing of Vishwa Hindu Parishad] attacked an independent pastor before television cameras. In May 2007, members of the Vishwa Hindu Parishad also beat Christian workers in Maharashtra state.¹² In April 2007, 100 members of the Bajrang Dal vandalized furniture and burned Christian literature in Punjab.¹³

¹⁰ Carvalho, N, 2011, 'Andhra Pradesh, Pentecostal pastor stabbed. GCIC: The state is "complicit", *Asia News*, 11 July <http://www.asianews.it/news-en/Andhra-Pradesh,-Pentecostal-pastor-stabbed.-GCIC:-The-state-is-complicit-22065.html#> - Accessed 7 December 2011

¹¹ US Commission on International Religious Freedom 2011, *Annual Report of the United States Commission on International Religious Freedom - India*, May, p245 <http://www.uscirf.gov/images/ar2011/india2011.pdf> Accessed 13 December 2011

¹² 2007 Most Violent Ever for Christians since Independence' 2008, *Compass Direct*, India, 10 January http://www.compassdirect.org/english/country/india/2008/newsarticle_5185.html - Accessed 6 December 2011

¹³ 'India News Briefs' 2007, *Compass Direct*, April, http://www.compassdirect.org/english/country/india/2007/newsarticle_4838.html - Accessed 5 December 2011

In July 2009 members of Bajrang Dal attacked a church in Madhya Pradesh; in May members of Vishwa Hindu Parishad vandalized a Baptist church in Assam.¹⁴

In February 2010 the Bajrang Dal and the Shiv Sena beat Christians and vandalized two churches in the Punjab. In Karnataka members of Bajrang Dal and the Rashtriya Swayamsevak Sangh attacked an Assembly of God church, beat Christians in their homes and burned Christian literature. The police refused to register a complaint filed by Christians, who left the area out of fear of further attacks and sought refuge among Christians in a neighbouring area.¹⁵

In November 2011 members of Bajrang Dal verbally abused and beat Christians in Karnataka. In another incident five Christians were detained after members of Bajrang Dal accused them of carrying out forced conversions and beat two of them. The members of Bajrang Dal then alerted the police who charged the Christians with deliberate acts intended to insult religious feelings under Section 29-A of the Indian Penal Code.¹⁶

According to the 2011 'International Religious Freedom Report' states that in March 2010 - the Vishwa Hindu Parishad (VHP) attacked the Christian Personality Development Center for Youth in Chhattisgarh. Extremists carrying the national flag entered the centre, attacked the students and teachers, and burned Bibles and Gospel literature. Police later briefly detained three Christians at the centre after Hindu extremists accused them of "insulting the national flag" before releasing them on bail. No reported action was taken against the vandals.¹⁷

In 2009 Bajrang Dal announced its plans of extending its network by inducting youths throughout India:

Bajrang Dal, in its silver jubilee year, will induct 25 lakh [Country Advisor's note: one lakh is one hundred thousand] youths throughout the country. "We will also give training to five lakh youths at one lakh spots," VHP International General Secretary Pravin Togadia announced while inaugurating a Bajrang Dal Rajat Jayanti Induction Programme at Gokulpuri in east Delhi today. Mr Togadia said, " We will induct more than 25 lakh youths into Bajrang Dal ... Bajrang Dal will have its branches in one lakh villages of the country to protect Hindu interests and national safety."¹⁸

A report from the Immigration and Refugee Board of Canada provides detailed information on the Shiv Sena. It states that it is based in Maharashtra which is its "principal area of operation" and quotes an Honorary Senior Fellow, at the Centre for Multilevel Federalism, Institute of Social Sciences, New Delhi, who stated that Shiv Sena is represented nationwide:

The Honorary Senior Fellow noted that the Shiv Sena "wins its seats only from the state of Maharashtra and the state remains its principal area of operation" (14 Apr. 2011). He also states that the Shiv Sena "has a token presence in some of the other states of India as well" (Honorary Senior Fellow 14 Apr. 2011). Although its presence is "not at all significant," the party "contest[s] in elections for seats across the

¹⁴ 'India Recent Incidents of Persecution' 2009, *Compass Direct*, July
<http://www.compassdirect.org/english/country/india/3788> - Accessed 5 December 2011

¹⁵ 'India Recent Incidents of Persecution' 2010, *Compass Direct*, March
<http://www.compassdirect.org/english/country/india/15839> - Accessed 6 December 2011

¹⁶ 'India Recent Incidents of Persecution' 2011, *Compass Direct*, November
http://www.compassdirect.org/english/country/india/article_123505.html - Accessed 6 December 2011

¹⁷ US Department of State 2011, *2010 International Religious Freedom Report (July-December)*, 13 September, India. Section II

¹⁸ Bajrang Dal to induct 25 lakh youths' 2009, *United News of India*, 16 July

country" (ibid.). This "centralised" party also "has different branches in other states, but they largely work under the direction of the central leadership, and the party discipline is robust" (ibid.). Outside of Mumbai, notes the Honorary Senior Fellow, "reports of violence by the party have been reported from Delhi, Goa and Punjab" (14 Apr. 2011).¹⁹

5. Is state protection available for Christians in Hyderabad?

According to the US Department of State 2011 'International Religious Freedom Report' on India, in 2010 the Andhra Pradesh government continued to fund welfare and development schemes for minorities and allotted the State Minorities Financial Corporation 175 crore rupees (\$39 US million), of which approximately 26.48 crore rupees (\$5.82 US million) went to the Andhra Pradesh Christian Finance Corporation (APCFC). The APCFC was initiated in 2008 to assist Christians in the state on educational and economic development. The APCFC received fifteen percent of the 2010 Andhra Pradesh welfare budget for minorities.²⁰

According to the Operational Guidance Note of the UK Home Office issued in 2008, the governments of 28 states and seven union territories have primary responsibility for maintaining law and order, with the central government providing guidance and support. The Ministry for Home Affairs controls most paramilitary forces, the internal intelligence bureaus, and the nationwide police service. The civilian authorities maintained effective control of the security forces. It was also reported that police officers at all levels acted with relative impunity and were rarely held accountable for illegal actions.²¹ The most recent UK Home Office 'Country of Origin Information (COI) Report of August 2011 states that there is a severe shortage of staff in the police, inadequate training and bribery was institutionalised.²²

Persons engaged in religious activities can at times contravene the law if they are deemed by the authorities to cause social disharmony by their actions:

Local authorities on occasion relied upon certain sections of the 150-year-old Indian Penal Code (IPC), which in general emphasize preserving social harmony rather than individual freedoms, to arrest persons engaged in religious activities. For example, IPC section 153A prohibits "promoting enmity between different groups on grounds of religion, race, place of birth, residence, language, and doing acts prejudicial to maintenance of harmony." IPC section 295A prohibits "deliberate and malicious acts, intended to outrage religious feelings or any class by insulting its religion or religious beliefs."²³

¹⁹ Immigration and Refugee Board of Canada 2011, *IND103728.E - India: The Shiv Sena, including the group's activities and areas of operation within India; whether the Shiv Sena is involved in criminal activity; if so, the nature of these activities (2009 - March 2011)*, 29 April - http://www.irb-cisr.gc.ca:8080/RIR_RDI/RIR_RDI.aspx?id=453427&l=e – Accessed 12 December 2011

²⁰ US Department of State 2011, *2010 International Religious Freedom Report (July-December)*, 13 September, India, Section II

²¹ UK Home Office 2008, *Operational Guidance Note – India*, April, Section 3.7.4

²² UK Home Office 2011, *Country of Origin Information Report: India*, 26 August. Section 9.07, 9.12

²³ UK Home Office 2011, *Country of Origin Information Report: India*, 26 August. Section 20.31

6. Are there places in India where Christians can live without fear of being targeted?

According to the US Department of State on India, based on the 2001 census, India has a population of 1.15 billion. Hindus constitute 80.5 percent of the population, and Christians are a minority at 2.3 percent.²⁴

The 'International Religious Freedom Report' states that there are active "anticonversion" laws in five of the 28 Indian states: Gujarat, Orissa, Chhattisgarh, Madhya Pradesh, and Himachal Pradesh. Although Arunachal Pradesh enacted its law in 1978, the government has yet to frame the rules needed for enforcement. Gujarat has a Freedom of Religion Act (2003) and Rules (2008) that proscribed religious conversions by means of allurements, force, or fraud. This report states that at the end of the reporting period - December 2010 - no court date had been set for a challenge by civic groups of the constitutional validity of the Gujarat legislation. There were reports of arrests but no convictions under these laws during the reporting period of July – December 2010.²⁵

The law provides for freedom of movement and the government generally respects this in practice, however, in certain border areas the government requires special permits.²⁶ Citizens are not required to register their faith in India, moreover there are no checks on a newcomer to any part of India arriving from another part of India. Local police forces have neither the resources nor the language abilities to perform background checks on people arriving from other parts of India. There is no system of registration of citizens, and often people have no identity cards.²⁷

The State does not interfere with the internal religious activities of Christians:

their activities are conducted freely and that they are well integrated into Indian society. Christians can establish their own schools offering religious instruction as well as a general education and religious instruction can be provided at seminaries. It was reported in 2007 that Christians were concentrated in the northeast of India, with large Christian majorities in the north-eastern states of Nagaland, Mizoram and Meghalaya in addition to the southern states of Kerala, Tamil Nadu and Goa.

3.8.8 Despite tolerance towards Christians by the Indian authorities, some societal problems remain. It was reported in 2007 that attacks on Christian churches and individuals, largely perpetrated by individuals associated with extremist Hindu nationalist groups, continue to occur, and that perpetrators were rarely held to account by the state legal apparatus. In some instances, police provided protection from the attackers but in others reportedly failed to intervene. On 24 December 2007, violence broke out in Orissa state during an altercation between Hindus and Christians. The state government failed to act quickly, leaving vulnerable groups at risk, which enabled the violence to escalate, reportedly leaving at least eight people dead.

3.8.9 Those involved in missionary work have sometimes been victims of human rights abuses, where their actions have involved or been perceived to involve religious conversions. It was noted in 2007 that the issue of conversion of Hindus or members of lower castes to Christianity remained highly sensitive and resulted in assaults and/or arrests of Christians. However, perpetrators of some of these acts of violence have

²⁴ US Department of State 2011, *2010 International Religious Freedom Report (July-December)*, India, 13 September, Section I

²⁵ US Department of State 2011, *2010 International Religious Freedom Report (July-December)*, India, 13 September, Section II

²⁶ UK Home Office 2008, *Operational Guidance Note – India*, April, Section 3.7.5

²⁷ UK Home Office 2008, *Operational Guidance Note – India*, April, Section 3.7.6

been traced and prosecuted. Furthermore, Christians often held large public prayer meetings without violence or protests.²⁸

7. Deleted.

²⁸ UK Home Office 2008, *Operational Guidance Note – India*, April, Section 3.8.7 -3.8.8

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