**Refugee Review Tribunal**

**AUSTRALIA**

**RRT RESEARCH RESPONSE**

**Research Response Number:** IND30931
**Country:** India
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This response was prepared by the Country Research Section of the Refugee Review Tribunal (RRT) after researching publicly accessible information currently available to the RRT within time constraints. This response is not, and does not purport to be, conclusive as to the merit of any particular claim to refugee status or asylum.

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**Questions**

**1. Is there any evidence that Muslims attacked Hindus in Borisana in the district of Mehsana in state of Gujarat following the 2002 riots?**
**2. Can you provide an update on communal violence between Muslims and Hindus in Gujarat?**
**3. How often are Sarpanch elections held?**
**4. Are there any records of the results of Sarpanch elections for the Panchayat?**
**5. If so, could you provide the results of the Sarpanch elections for the Panchayat in 2002 in Borisana?**
**6. Question deleted.**
**7. Are there any reports of a BJP political rally in Gandhinagar in February 2006?**
**8. Can you provide information about the rally?**
**9. Is there a Patel group in Gujurat?**
**10. Can you provide information about the group if it exists?**
**11. Are there any reports to suggest that Muslims attack the Patels in Gujurat?**
**12. How have the authorities responded to recent terrorist attacks in India in particular the bombing in Mumbai and the bombing of the Varanasi temples?**

## RESPONSE

### 1. Is there any evidence that Muslims attacked Hindus in Borisana in the district of Mehsana in state of Gujarat following the 2002 riots?

No reports were found on any attacks by Muslims on Hindus in Borisana in the district of Mehsana in the state of Gujarat, following the 2002 riots.

### 2. Can you provide an update on communal violence between Muslims and Hindus in Gujarat?

The Indian state of Gujarat is well known for communal violence between Hindus and Muslims. According to Christophe Jaffrelot, between 1970 and 2002, Gujarat experienced 443 Hindu – Muslim riots. "The riot in Ahmedabad in 1969, which left 630 dead, remained the most serious riot" (Jaffrelot, J. 2003, 'Communal Riots in Gujarat: The State at Risk?', *Heidelberg Papers in South Asian and Comparative Politics*, Working paper No. 17, July http://archiv.ub.uni-heidelberg.de/volltextserver/volltexte/2003/4127/pdf/hpsacp17.pdf – Accessed 8 November 2006 – Attachment 1)

On 27 February 2002, the Sabarmati Express carrying Hindu pilgrims from Ayodhya was allegedly attacked by Muslims at Godhra in Gujarat and set alight, killing fifty seven Hindu devotees ('Scores killed in India train attack' 2002, *BBC News* website, 27 February http://news.bbc.co.uk/2/hi/south_asia/1843591.stm – Accessed 8 November 2006 – Attachment 2). According to Tanika Sarkar of the *Economic and Political Weekly*, rumour started to spread that some eighty Hindu women on the train were raped by Muslim men and had their breasts cut off (Sarkar, T. 2002, 'Semiotics of Terror', *Economic and Political Weekly* website, 13 July http://www.epw.org.in/showArticles.php?root=2002&leaf=07&filename=4678&filetype=html – Accessed 8 November 2006 – Attachment 3)). Immediately, the Hindu militant organisation *Rashtriya Swayamsevak Sangh* (RSS) called on Hindus in Gujarat to avenge the attack at Godhra. Mira Kamdar writing in the *World Policy Journal* describes the bloodbath unleashed by Hindus in Gujarat.

> For about 24 hours, there was calm. And then, almost simultaneously, in different localities, in both urban and rural areas across Gujarat, a systematic wave of terror against the Muslim population began. Truckloads of Hindus, mostly young men— many sporting headbands in saffron, the Hindu sacred color—headed for Muslim neighborhoods. They were armed not only with homemade gasoline bombs, trishurs (the trident-shaped weapon associated with the god Shiva), and knives but also, in some cases, with printouts from government computer databases listing the names and addresses of Muslims and Muslim-owned businesses. Some of the young Hindus even had cell phones—the better to keep in touch with their handlers—and bottles of water. They embarked on a rampage of looting, arson, rape, torture, and murder that left thousands dead and many more thousands homeless.
>
> Muslim homes and businesses were looted, and then the buildings and often the dismembered bodies of the former occupants were set on fire. Neighboring Hindu homes and businesses were spared. In many localities, the police, when they didn't simply turn a blind eye to the attacks, were seen helping the attackers identify their targets. With few exceptions, no protection was offered to those terrified Muslims who, in desperation, begged the police for help. According to Human Rights Watch, the general response of the police was: "We have no orders to save you." The savagery of the attacks— which routinely included dismemberment, gang rape, beheadings, dousing bodies with petrol and burning them so as to render them unrecognizable, liquidating entire families, including women, children, babies, and fetuses ripped from the womb— was all the more shocking for their well-organized and premeditated execution. It was evident that state and local authorities not only did nothing to stop the violence but were actually complicit in orchestrating the attacks (Kamdar, M 2002, 'The Struggle for India's Soul', *World Policy Journal* website, vol. XIX, no. 3 http://www.worldpolicy.org/journal/articles/wpj02-3/kamdar.html – Accessed 8 November 2006 – Attachment 4).

An independent reporters' group claimed that some "5,000 Muslims were killed, 50,000 made homeless, hundreds of mosques, and dozens of hotels, shops, and villages destroyed during riots in the Indian province of Gujarat" (Masud, E. 2002, '5,000 Killed, 50,000 Homeless in India Pogrom', The Wisdom Fund website, 16 March

http://www.twf.org/News/Y2002/0316-IndiaPogrom.html – Accessed 7 November 2006 – Attachment 5).

According to the *Hindustan Times* of 5 November 2006:

> More than 200,000 Muslims were displaced from their homes after the riots, according to reports by voluntary groups. Most of them have returned home, although they live subdued lives in villages where Hindus are in the majority.
>
> But 26,000 Muslims have refused to return. They stay in squalid clusters of two-room concrete houses built for them by NGOs in many districts (Misra, N 2006, 'Muslims too must share blame', *Hindustan Times*, 5 November http://www.hindustantimes.com/news/181_1836933,000900040003.htm – Accessed 8 November 2006 – Attachment 6)

In 2002, violence against Muslims continued for months because the *Bhartiya Janata Party* (BJP) Government in Gujarat refused to intervene and fuelled the crisis by encouraging Hindu militants to continue their assault on Muslims. In Gujarat and in other BJP controlled states, an intricate relationship exists between the BJP and Hindu militant organisations. According to Anthropologist Edward Simpson, the BJP Government and Hindu militant alliance is known as "sangh pariwar".

> At the core of the family are the private organisations known as Rashtria Swamsewak Sangh (RSS) and Vishwa Hindu Parisad (VHP) as well as the Bhartiya Janata Party (BJP), which is a political party. The RSS is now an enormous organisation in Gujarat, which run thousands of schools and training camps and works to instil moral values and produce suitable leaders for a nascent Hindu India. The VHP campaigns for the revival of the ancient signs of Hindu might and amity, most infamously for the demolition of mosques allegedly built on sites important to Hindusim (Simpson, E. 2006. 'The State of Gujarat and the Men without Souls', *Critique of Anthropology*, vol. 26, no. 3, p.334 – Attachment 7).

Dionne Bunsha writing in *Frontline* in May 2002 blamed the continuation of violence against Muslims on the inaction of the BJP Government of Narendra Modi in Gujarat.

> CONSIDERING the extent to which the VHP and the Bajrang Dal have been given free rein to kill, burn and terrorise people, it is no surprise that there is no end to the violence. The past two months have seen over 850 deaths, more than 2,000 persons injured and upwards of 24,000 homes and shops destroyed - by official estimates. More than 1,000 people are missing. Unofficial estimates place the death roll at 2,000. Refugees in relief camps and those who have not yet fled their homes in Ahmedabad's ghettoes within the walled city, remain under siege. The perpetrators roam the streets with impunity, stemming hopes that the State's 1.5 lakh-plus refugees will be able to return to their homes anytime soon. The fascist BJP government has no interest in stopping the carnage in the State which the BJP calls its 'Hindutva laboratory', the only State where its party has a majority government. Its interest lies in keeping the flames burning, in order to ensure that its hate campaign generates enough terror and insecurity to translate the fear of minority retaliation into votes. The pogrom against Muslims has the silent approval of Narendra Modi; and some of his Ministers are involved too (Bunsha, D. 2002, 'A relentless hate campaign', *Frontline* website, 11-24 May http://www.hinduonnet.com/fline/fl1910/19100040.htm – Accessed 7 November 2006 – Attachment 8; Also see: 'Crime Against Humanity' 2003, PUCL website, January http://www.pucl.org/Topics/Religion-communalism/2003/gujarat-tribunal-report.htm – Accessed 7 November 2006 – Attachment 9).

The viciousness of the attacks against Muslims reached its peak on 1 March 2002 when Hindu mobs raided the village of Dahlol in Gujarat. A victim, Naseem Mohammad Shekh, narrates the events of the fateful day to Sherwani on Counter Currents website:

> In the evening this Hindu man took my family with him, telling them that he was arranging for safe passage for them. He took them towards the river and on the way started shouting that there were Muslims around. This was a trap that he had laid. All at once, a Hindu mob, armed with sharp weapons, surrounded my family members. One of my nephews ran to save his life and hid behind huge bushes. But the mob killed everybody one by one. They begged for their life to be spared but in vain. My 13 year-old daughter was gang-raped and cut into pieces. After killing everybody they burnt their bodies. My nephew, who narrowly escaped, was watching everything, shaking with fear. He fled the place when the mob went back to the village. He came to the main road, which connects Kalol, a town with a substantial Muslim population. The police found him, and asked him to remove his trousers to see if he was a Muslim. They kicked him and abused him for being a Muslim. He was thrown out of the police jeep. Upon arriving Kalol he narrated the incident to our relatives and family friends (Sherwani, A 2006, 'Naseem's Story', Counter Currents website, 6 September http://www.countercurrents.org/guj-naseem061006.htm – Accessed 8 November 2006 – Attachment 10; Waldman, A. 2005, 'Indian Muslims' Hope Is One Good Policewoman', Coalition Against Genocide website, 23 March, source: *New York Times* (17 October 2004) http://coalitionagainstgenocide.org/news/2005/mar/23.nyt.muslims.php – Accessed 8 November 2006 – Attachment 11; Also see: Daruwala, M. (ed) 2004, *The Dehlol Story*, Commonwealth Human Rights Initiative, New Delhi http://www.humanrightsinitiative.org/publications/gujarat/dehlol_story.pdf – Accessed 8 November 2006 – Attachment 12).

In November 2002, The Islamic Human Rights Commission (IHRC) in the United Kingdom labelled ongoing violence against Muslims in Gujarat as "genocide". The IHRC argued that:

> the repeated use of the phrase 'communal riots' by commentators is severely misleading in connoting that the violence was the result of clashes between two sides. Instead it was a one-sided effort of the Hindu mobs determined to drive out the Muslim population by any means necessary. This intent and the high level of organisation that accompanied it, means that the atrocities can only be termed as ethnic cleansing or genocide. Moreover, the partisan role of the state, the government, police, civil administration, the ruling party, the VHP, Bajrang Dal and the rest of the Sangh Brigade, all point to this ethnic cleansing being state sponsored (Islamic Human Rights Commission 2002, *Gujarat: Ongoing Genocide*, November http://www.ihrc.org.uk/file/02nov15gujaratongoinggenocide.pdf – Accessed 7 November 2006 – Attachment 13).

In February 2003, one hundred and thirty one Muslims were charged under India's Prevention of Terrorism Act. According to Rakesh Patel of *The Guardian*: "It is the second time that the state authorities have brought charges under the Prevention of Terrorism Act against those said to be involved last February in attacking a train in Godhra carrying Hindu pilgrims, during which 59 passengers died" (Patel, R. 2005, 'Gujarat charges Muslims with riots', *The Guardian* website, 10 February http://www.guardian.co.uk/international/story/0,3604,899051,00.html – Accessed 8 November 2006 – Attachment 14). Despite forensic evidence that the fire was started from inside the train, the Gujarat police continued to hunt the inner circles of the jihadis, who the police suspected were responsible for killing Hindus. As a result, a large number of Muslims were detained without charge for long periods ('And let's not forget Godhra' 2004, *The Hindu* website, 22 August

http://www.thehindu.com/2004/08/22/stories/2004082200581400.htm – Accessed 7 November 2006 – Attachment 15).

The Bernarjee Committee on Godhra reported in January 2005 that the Sabarmati express blaze was "accidental" ('Inquiry says Godhra train fire accidental' 2005, *Deccan Herald* website, 17 January http://www.deccanherald.com/deccanherald/jan172005/i15.asp – Accessed 9 November 2006 – Attachment 16).

Communal violence in Gujarat, nevertheless, continued in 2003 and according to Asghar Ali, the state "witnessed a series of communal clashes on 2nd January 2003. Most of these incidents occurred in Central Gujarat, the region from where the BJP won maximum number of seats. And no wonder most of the victims were from minority community" (Engineer, A.A. 2004, 'No decline in communal violence in India', *Dawn*, 17 January http://www.hvk.org/articles/0104/112.html – Accessed 7 November 2006 – Attachment 17).

In December 2005, twenty bodies of Muslim victims killed by Hindu militants in 2002 were discovered in Gujarat. According to the World Socialist Web Site:

> After relatives reported the latest discovery to the media, local government authorities and police made the extraordinary claim that the mass grave was not a cover-up, but a legal burial carried out in accordance with all the proper procedures. Then in an attempt to intimidate those who found the grave, police charged the relatives and a human rights activist with illegally digging up a gravesite.
>
> The claims are absurd. If they had known about the grave, the police did not bother to tell the relatives of the victims. A local villager Gulam Kharadi told the Indian Express that he was skeptical that the dumping of the bodies in an unmarked pit in a wooded area was by the book. "If rituals are followed, you don't pile up 20 bodies in a pit. Where are the graves?" (Skeers, J. 2006, 'India: victims of Gujarat pogrom found in mass grave', World Socialist Web Site, 24 January http://www.wsws.org/articles/2006/jan2006/guja-j24.shtml – Accessed 9 November 2006 – Attachment 18; Also see: 'Mass grave: NHRC seeks report from Gujarat, CBI' 2005, *The Hindu* website, 29 December http://www.hinduonnet.com/2005/12/29/stories/2005122906891200.htm – Accessed 9 November 2006 – Attachment 19).

According to an independent human rights website *Sabrang News*, the Gujarat police continue to harass relatives of the victims found in mass graves.

> The Gujarat police at Lunawada pressurized by the top echelons of the police administration and Government continued to harass victims and human rights activists to cover up the issue of illegal burial in mass graves, of those killed in the Gujarat Carnage of 2002. They attempted to get the anticipatory bail order cancelled in the Gujarat HC, which was also turned down on April 5, 2006. On April 5, 2006 the Gujarat High Court passed a speaking order rejecting the Gujarat State's appeal to cancel anticipatory bail granted by the Sessions Court at Godhra. Though one of the conditions of the High Court order formally allowed the police to apply for remand (a practice in all cases), the victims and Shri Khan remained present at the Lunawada court while arguments took place on April 17, 2006, the single-handed vindictiveness of the Gujarat police can be seen, in that, they obtained non-bailable warrants by misleading the court despite the fact that there were no orders asking that these persons remain present in court on April 18, 2006. Despite this order of the High Court to convert bail into regular bail, the Gujarat police is not only using intimidatory tactics to browbeat victims of a massacre and representatives of organisations supporting the struggle for justice, but in fact attempting to influence the investigation itself. In this entire matter, the Gujarat police is the chief culpable party being responsible for the undignified and hasty

> burials of victims of a mass crime. Today, despite the fact that the matter has been seized of in the Gujarat High Court, the Gujarat police functions with impunity and is trying to subvert the investigation to escape liability for the illegal and unauthorised burial of bodies of victims of a mass crime ('Intimidation and Victimisation by Gujarat Police: Notice to Gujarat Government' 2006, *Sabrang Alternative News Network* website, 20 April http://www.sabrang.com/news/2006/20apr06.htm – Accessed 9 November – Attachment 20).

Amnesty International in its 2006 Annual Report stated that:

> Survivors of targeted killings and sexual violence in 2002, some of which had amounted to crimes against humanity, continued to be denied justice and reparations. Key cases relating to these killings and sexual assaults of Muslim women in which complainants had sought transfers to courts outside the state, were still pending in the Supreme Court at the end of the year. In December a mass grave containing the remains of Muslim victims was found" (Amnesty International 2006, *Amnesty International Annual Report 2006 – India* – Attachment 21).

According to the US Department of State 2006 report:

> A formal judicial resolution to the 2002 Gujarat violence remained uncertain. However, there were significant developments during the period covered by this report, most notably convictions in the Best Bakery case. In February 2006, a Mumbai court gave life sentences to nine persons convicted for their role in the death of fourteen persons who took refuge in the bakery. All nine were among twenty-one individuals acquitted by a Vadodara fast-track court almost three years ago. Of the remaining twelve, eight were acquitted and four were "in hiding". In response to a supreme court mandate, in February 2006, the Gujarat police stated that it would reinvestigate 1,600 of the approximately 2,000 cases that were filed and closed in 2002 (US Department of State 2006, *International Religious Freedom Report for 2006 – India*, September – Attachment 22).

**3. How often are Sarpanch elections held?**

According to Johnson, Sarpanch (head of the elected village administrative body) elections in India are held every five years (Johnson, C. 2003, 'Decentralisation in India: Poverty, Politics and Panchayati Raj', Overseas Development Institute, Working Paper 199, February, p.57 http://www.odi.org.uk/Publications/working_papers/wp199.pdf – Accessed 8 November 2006 – Attachment 23).

**4. Are there any records of the results of Sarpanch elections for the Panchayat?**

No records were found on the results of sarpanch elections for the panchayat in the state of Gujarat.

**5. If so could you provide the results of the Sarpanch elections for the Panchayat in 2002 in Borisana?**

No results of the sarpanch elections in Borisania could be found in the sources consulted. Nevertheless, in Gujarat, there are thirteen thousand seven hundred and eighty one village panchayats and two hundred and twenty four taluka or (town) panchayats and twenty five district panchayats ('Number of Local Bodies at Different Tiers' 2006, Local Government of India website, source: *Twelfth Finance Commission Report* (2006)

http://www.localgovernmentindia.org/PdfFile/local_bodies_india.pdf – Accessed 9 November 2006 – Attachment 24).

**7. Are there any reports of a BJP political rally in Gandhinagar in February 2006?**

No records of a BJP rally in Gandhinagar in February 2006 were found in the sources consulted. There were two press reports on a BJP political rally against Christians in the Dang district of Gujarat.

**8. Can you provide information about the rally?**

According to the Human Rights and Christian Persecution website, sixty thousand Hindu nationalists pledged to reconvert Christians to Hinduism at the Dang rally in Gujarat.

> Sadhvi Ritambara, a popular Hindu preacher and TV personality, told the crowd it was imperative to take up arms to save their religion. Gujarat's Chief Minister, Narenddra Modi, also said it was time for the converted tribes to go back to Hinduism. Christianity was described as a major threat to Indian nationalism, and foreign missionaries were accused of deceiving poor, tribal people and enticing them to convert to Christianity by providing medical services. Rally organisers praised prominent Hindus who had successfully reconverted Christians to Hinduism. Hindus account for about 80% of the Indian population of 1.1 billion, and Christians less than 3%. However, in the district of Dangs, where the rally was held, Christians make up about 15% of the population. Christian leaders on the ground report that many people at the rally came from outside the Dangs district-among them, many poor people who were given food and free transport to attend the rally. To our knowledge, no "reconversions" actually occurred at the rally ('Christian News - The Persecution of Christians' 2006, Human Rights and Christian Persecution website, March http://www.human-rights-and-christian-persecution.org/christian-news-march-2006.html – Accessed 8 November 2006 – Attachment 25).

According to the *Compass* website, the RSS and the VHP were the organisers of the event in the Dang district and "Praveen Togadia, general secretary of the Vishwa Hindu Parishad (VHP or World Hindu Council) said the conversion of tribal people to Christianity was a conspiracy to abolish Hinduism, and that the VHP would not tolerate such conversions any longer" ('Extremists at Massive Event in India Call for Anti-Conversion Law' 2006, International Christian Response website, 16 February, source: *Compass Direct News* website (February 2006) http://www.christianresponse.org/articles/282/extremists-at-massive-event-in-india-call-for-anti-conversion-law – Accessed 8 November 2006 – Attachment 26).

On 19 September 2006, the state of Gujarat amended Anti Conversion Law of 2003 so that the poor and the illiterate are not converted by force or threats. "Under terms of the 2003 Act, anyone wishing to convert from one religion to another needs prior permission from the district magistrate. This provision has been retained in the bill" ('INDIA: STATE MODIFIES ANTI-CONVERSION LAW' 2006, *Compass Direct News* website, 20 September http://www.compassdirect.org/en/breaking.php?idelement=4548 – Accessed 9 November 2006 – Attachment 27). Christians in Gujarat fear that the law will be used to harass Christians. Nevertheless, the bill, passed despite Christian appeals to the state governor to intervene (Carvalho, N. 2006, 'Indian bishops: No to Gujarat anti-conversion law', *Asia News* website, 28 September http://www.asianews.it/view.php?l=en&art=7336 – Accessed 9 November 2006 – Attachment 28).

**9. Is there a Patel group in Gujurat?**

**10. Can you provide information about the group if it exists?**

The Patels are the middle caste of Gujarat and they engage mostly in commerce and agriculture.

> Patels are traditionally found in the states of Rajasthan, Madhya Pradesh, and Gujarat in India. Although they live throughout India and, after emigration, throughout the world. The name Patel is derived from the term Patlikh, which means royal tennant of crops for every "pat" or portion of royal land. Patels are divided into many branches; the most popular being Leuvah and Kadwah, others include vania and Korri. As with other groups in Northern and Western India, Patel was adopted as a surname by many people. This practice is common in North India, where many surnames originate in an occupation (and often associated caste or social group). Unlike the Bania community known for trading, the Patels are associated with agriculture and are known to own masses of land ('Patel'2006, Answers website http://www.answers.com/topic/patel source: Wikipedia website (2006) – Accessed 8 November 2006 – Attachment 29).

According to the Gujarati World website:

> From among the Hindus of Gujarat, the patels, also known as patidars, of central Gujarat or Charotar have emigrated in large numbers. Charotar, the major part of central Gujarat, the area which lies between the Mahi river to the south-east and Vatrak river to the north-west, is the heartland of Gujarat. It was also formerly known as Kheda district and only recently divided into Kheda and Anand districts. There may not be a single village from about one thousand villages of Charotar from which at least one patel family has not migrated. There are some villages from which more than half of the patel families have emigrated. These patels, a middle-ranking peasant community, are upwardly mobile and highly status-conscious. With about 15 to 20 per cent of the population, the patels form a substantial minority who have been able to acquire economic, social, and political dominance in the region and the state since the early 20th century (Patel, P.J. & Rutten, M. 1999, 'Patels of Central Gujarat in Greater London', Gujarati World website, 17-24 April http://www.gujaratiworld.co.uk/globguj.html – Accessed 8 November 2006 – Attachment 30).

The Patels in Gujarat associate themselves with the BJP and they also have a tight hold over state power and have refused to share power with Muslim and the Dalit communities ('Down but not Out!' 2003, *Rediff* website, 6 August http://www.rediff.com/news/2003/aug/06spec.htm – Accessed 8 November 2006 – Attachment 31;Bidwai, P. 2003, 'A Long Haul for Secularists', *Frontline*, vol 20, no 1, 4 January http://www.tni.org/archives/bidwai/secularists.htm – Accessed 8 November 2006 – Attachment 32).

During the 2002 Godhra riots, there are reports that Patels committed atrocities against Muslims in Gujarat. The Godhra Tribunal recorded 64 oral and written statements from Mehsana. This district saw two brutal massacres in the first bout of post-Godhra violence. One of them was at Sardarpura village, in taluka Vijaypur, where, in a single attack, 33 Muslims were electrocuted to death, 29 of them from one family. In the other case, 11

Muslims were hacked and burnt to death in Visnagar town, a taluka headquarter. According to the Concerned Citizens' Tribunal website:

> Witness Morad Khan (45), a trader from Deepda Darwaza said that in his mohalla there are over 800 Patel (Patidar) houses and some 20-25 Muslim houses. On February 28, at about 5-6 p.m. about 200 Patels of the mohalla got together. Their leaders were Lalitbhai Ladhabhai, Dahyabhai Madhabhai, Babubhai Purshottam Patel. Under their leadership, all the Muslim houses in the mohalla were looted and torched. What was far worse, 11 members of the witness' family were cut up and some were burnt thereafter. At the peace meeting held three days later, he pleaded for the remains of his deceased family members but they refused ('Incidents of Post-Godhra violence'2006, Concerned Citizens' Tribunal website, 11 August http://sabrang.com/tribunal/volI/incimehsana.html – Accessed 8 November 2006 – Attachment 33).

**11. Are there any reports to suggest that Muslims attack the Patels in Gujurat?**

According to the *Hindu* website of 17 September 2006, the Patels of Bapunagar in Ahmedabad in Gujarat reported acts of violence against Hindus by Muslims.

> Members of the Hindu community living in the Bapunagar locality in old Ahmedabad claimed to be living in a State of tension and terror due to Muslim militancy. Deposing before the Nanavati-Shah judicial inquiry commission probing the Godhra train carnage and the post-Godhra communal riots in Gujarat, dozens of Hindu residents of the area urged the authorities to take steps to ensure "safety and protection to the Hindus in the area."
>
> A local resident, Jyotsna Patel, told the Commission that "anti-social Muslim elements" had become active in the locality threatening Hindus. The area had become so sensitive that even minor incidents could flare up into riots.
>
> Another local resident, Sudha Patel, alleged that Muslims had started the trouble in Bapunagar the day after the Godhra train carnage. In the morning, a Muslim mob had attacked the Vagharivas, set fire to their hutments, killed their goats and pigeons and even injured a cow. The disturbances continued till about 2.30 p.m. and during the time she had heard slogans raised from the nearby mosque over loudspeakers to "kill Hindus."
>
> The next day, she alleged, a truck-load of Muslims wearing masks had again attacked Hindus, caught hold of a young boy, gouged out his eyes and crushed him under the truck. They beheaded a local "sadhu" and hanged his head from a tree.
>
> She alleged that Taufiq Khan and his son, Zulfi, among the mob to have butchered the young boy.
>
> Taufiq Khan, however, later denied having being involved in the riots and claimed that on that day he was admitted in the hospital due to illness while his son was away in Lucknow. He described Ms. Patel's claims of having seeing them in the mobs as her imagination and denied there was any "Muslim attack" in Bapunagar.
>
> Another resident, Mahesh Patel, complaining of Muslim activism in the area, alleged that the minorities were systematically weeding out Hindus to take over their property to convert the entire locality into another Muslim stronghold. In all, 122 people in 24 groups appeared before the commission today ('Hindus seek protection' 2006, *The Hindu* website, 17

September http://www.hindu.com/2003/09/17/stories/2003091711221300.htm – Accessed 8 November 2006 – Attachment 34).

According to the *Rediff* website, a Patel woman testified to the Godhra inquiry of Muslim attacks in Patelnagar in Gujarat.

> On the day of the VHP-sponsored bandh, armed Muslim men had stormed our locality and some of them even stripped and said: Kill the Hindu eunuchs. Send your mothers and sisters," Sudha Patel, a resident of Patelnagar, told the panel probing the post-Godhra violence in Gujarat.
>
> "They gorged the eyes of a youth with swords and repeatedly crushed him under their truck till he died, they then stripped and made obscene gestures at Hindus," she alleged.
>
> Patel told Justice G T Nanavati (retd) and Justice K G Shah (retd) that though all persons in the mob had masked their faces, she managed to recognise the councillor, Taufeeq Khan Pathan, and his son, Zulfi, on March one.
>
> She alleged that the mob beheaded a local mendicant, who tried to pacify them, in front of her. "They later hung his head displaying it to the locals, saying: We have chopped off your mendicant," she alleged.
>
> She said terror still reigns in the minds of children in Patelnagar and sought protection from anti-social elements.
>
> Two other majority community members alleged that Muslims of the area were trying to purchase their properties. "I had to sell my house on two occasions," one Mulji Patel told the commission Gujarat riots probe ('Muslims attacked Hindus' 2003, *Rediff* website, 16 September http://www.rediff.com/cms/print.jsp?docpath=/news/2003/sep/16godhra.htm – Accessed 7 November 2006 – Attachment 35).

More recently in May 2006, Hindus and Muslims clashed in Ahmedabad, leaving thirty people injured ('India: Hindus, Muslims Clash in India's Gujarat State' 2006, *Reuters*, 28 May – Accessed 29 May 2006 – Attachment 36). The *BBC News* website reported in September 2006 that "a court in the western Indian state of Gujarat has given life sentences to six young Muslims for killing two Hindus. The killings in the town of Mahuda in November 2002 occurred after an altercation between Hindu and Muslim groups over a game of cricket' (Muslims jailed for killing Hindus' 2006, *BBC News* website, 13 September http://news.bbc.co.uk/2/hi/south_asia/5342270.stm – Accessed 8 November 2006 – Attachment 37).

**12. How have the authorities responded to recent terrorist attacks in India in particular the bombing in Mumbai and the bombing of the Varanasi temples?**

The Varanasi bombings were carried out on 7 March and Mumbai blasts occurred on 11 July 2006. Each of the terror bombing incidents are separated under the following sub headings: Vanarasi Temple Bombings and Mumbai Train Blasts.

**Varanasi Temple Bombings**

Three bomb blasts occurred within a very short time in the afternoon of 7 March 2006. The blast ripped through the "Sankat Mochan temple, opposite the Kashi Vishwanath temple, one of the most revered temples in India for the Hindus. The other two bomb blasts took place in the Cantonment railway station and the Shivganga Express bound for New Delhi' (Chari, P.R. 2006, 'Varanasi Bomb Blasts: A Preliminary Assessment', *Peace and Conflict*, vol. 9, no.4, April 2006 http://www.ipcs.org/April2006-Vol9No4.pdf – Accessed 13 November 2006 – Attachment 38).

According to the *India Daily* website, twenty eight people were killed and about a hundred injured in the Varanasi blasts ('Indian Railways: Soft Terror Target' 2006, *India Daily* website, 14 July http://www.indiadaily.org/entry/indian-railways-soft-terror-target/ – Accessed 13 November 2006 – Attachment 39). *Asia Times Online* reported that the blasts were the possible handiwork of three known terror groups in India: *Lashkar-e-Toiba* (LeT), the newly established Bangladeshi based Herkat Ul Jihad Islami (HuJI) and the *Students Islamic Movement of India* (SIMI) (Ramachandran, S. 2006, 'Mumbai attacks: A new spiral of violence', *Asia Times Online*, 13 July http://www.atimes.com/atimes/South_Asia/HG13Df02.html – Accessed 13 November 2006 – Attachment 40).

In Lucknow, Uttar Pradesh, Indian Police on 8 March 2006 shot and killed an Islamic militant suspected of links in the bomb blasts in Varanasi. Police discovered that the suspect carried with him a pistol and explosives. On 19 July 2006, Indian police charged six people in connection with the bombing and further alleged that the bombings were carried out with the help of Bangladesh based extremists (Prasad, R. 2006, 'Police hunting Varanasi bombers shoot dead a militant', *Times Online*, 8 March http://www.timesonline.co.uk/article/0,,25689-2075742,00.html – Accessed 14 November 2006 – Attachment 41; Six charged over Varanasi blasts' 2006, *BBC News* website, 19 July http://news.bbc.co.uk/2/hi/south_asia/5194990.stm – Accessed 14 November 2006 – Attachment 42).

The Varanasi blast investigations are still continuing. Meanwhile, the three Islamic militant groups (LeT, HuJI, SIMI) are also linked by Indian authorities to the Mumbai train blasts in July 2006.

**Mumbai Train Blasts**

According to NC4: Incident Monitoring Centre website in United States:

> Seven bombs exploded along the Western Line of the Suburban Railway in Mumbai, India during the afternoon rush-hour on the evening of July 11th. The coordinated attack on seven different commuter trains left 182 people dead and over 900 wounded. Over a period of eleven minutes, bombs exploded in the first-class compartments of the trains while others were detonated in railway stations. One bomb near Borivali station was found and defused. After a temporary suspension, the Western Line resumed normal service by the next day.
>
> Tests of the explosives indicated the usage of RDX, possibly pointing to Kashmir separatist groups who are known to have used RDX in explosives. On July 14th, a previously unknown group calling itself Lashkar-e-Qahhar claimed responsibility for the bombings. The group may possibly be linked to Lashkar-e-Toiba (LeT), which is considered to be a terrorist organization by the U.S. State Department and responsible for previous attacks against India to assert Islamic sovereignty in Kashmir ('Alert Summary: Mumbai Bombing' 2006, NC4 Incident Monitoring Centre website, 11 July

http://www.nc4.us/nc4/documents/Mumbai_Bombing.pdf – Accessed 13 November 2006 – Attachment 43).

One India website reported that the Mumbai blasts were masterminded by the Pakistan Inter-Services-Intelligence (ISI) agency, which is alleged to have links with LeT and SIMI.

> Announcing this at a media conference here, Mumbai Police Commissioner A N Roy said the multiple blasts were the handiwork of the Pakistan-based Lashker-e-Toiba ( LeT) and banned Student Islamic Movement of India (SIMI), adding 11 Pakistan nationals and 12 Indians took active part in the terror act.
>
> Noting that the trail of money used in organising the crime, too, had been traced to Pakistan, he said funds were transferred to a city-based operative via Saudi Arabia.
>
> The Police Commissioner said most of the Pakistan and Indian nationals were trained in a camp run at Bahawalpur by LeT's India commander Azam Cheema. Bahawalpur-based Cheema has been organising anti-India operations at the behest of the ISI ('Pakistan's ISI engineered 7/11 Mumbai blasts' 2006, One India website, 30 September http://news.oneindia.in/2006/09/30/pakistans-isi-engineered-711-mumbai-blasts-police-1159617844.html – Accessed 13 November 2006 – Attachment 44; 'India accuses Pakistan of bombing' 2006, *Sydney Morning Herald* website, 2 October, source: *Reuters, Associated Press* (2 October 2006) http://www.smh.com.au/news/world/india-accuses-pakistan-of-bombing/2006/10/01/1159641211844.html – Accessed 13 November 2006 – Attachment 45; Also see: 'Investigation into Mumbai bombings looks east' 2006, *The Hindu* website, 2 August http://www.hindu.com/2006/08/02/stories/2006080207781200.htm – Accessed 13 November 2006 – Attachment 46).

According to the *Milli Gazette Online*, a number of Muslims in Mumbai were arrested by India's Anti Terrorist Squad (ATS).

> ….Muslim leaders strongly condemned the bombings. Nevertheless, immediately in the aftermath of the bombings, about 350 men, mostly of Muslim origin and from Muslim majority areas in Mumbai, were detained overnight by the ATS for interrogation. The suburb of Mahim was especially targeted by the ATS and more than 250 people from the area were detained and interrogated a few days only after the blasts.
>
> ….In Mumbai and elsewhere, Muslim men were picked up for questioning and often detained for days. Some were reportedly tortured. According to Farhana Shah, a lawyer representing some of those accused in the blasts case, "police high-handedness with Muslims in Mumbai isn't new." What is new is "that the community is being seen only through the prism of terror. The result is that when you pick up educated innocents and slap them around for a couple of days, they walk out as different people. It just ends up reinforcing their sense of being persecuted victims." One of Ms Shah's clients who was picked up by the police was whipped with a canvas belt and verbally abused. He was released three days later after the police, he said, realised he "knew nothing about the blasts" ('Muslims in Mumbai at the Receiving End' 2006, *The Milli Gazette Online*, 14 October http://www.milligazette.com/dailyupdate/2006/20061014_Muslims_Mumbai_communalism_terrorism.htm – Accessed 14 November 2006 – Attachment 47).

Muslim Member of Parliament, Asim Azmi, on 15 July 2006 protested to the authorities the indiscriminate targeting by police of the Muslim *Samajwadi Party* (SP) and the Muslim community ('Muslims being targeted over Mumbai blasts: Abu Azmi' 2006, *Rediff* website, 15 July http://inhome.rediff.com/news/2006/jul/15mumblast.htm – Accessed 14 November

2006 – Attachment 48). On 12 August, the *Communist Party of India* (CPI) member, Brinda Karat expressed concerns on the treatment of Muslims in Mumbai.

> "It is a sad day for India's secular values when the Mumbai police flags and targets all Muslims who have travelled abroad for the sole reason that they are Muslims. The vice-president of a multi-national company and a well-known dance choreographer were forced to suffer the humiliation and indignity of having their homes visited by the police, being asked to appear at the police station, and having their relatives and staff interrogated. There is a feeling of fear among the community because of [the] indiscriminate picking up of Muslims in the city. It is as though the onus of proving themselves innocent has been shifted to a whole community. This is unacceptable and my party strongly protests against it," Ms. Karat said (‘Action against Muslims termed misadventure’ 2006, *The Hindu* website, 12 August http://www.thehindu.com/2006/08/12/stories/2006081203311400.htm – Accessed 14 November 2006 – Attachment 49)

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