

## Refugee Review Tribunal

### AUSTRALIA

#### RRT RESEARCH RESPONSE

**Research Response Number:** IND30613  
**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. Could you please provide any material on whether (and how) the recent election of the DMK-led democratic progressive alliance in Tamil Nadu is likely to affect the Muslim – Hindu relations in this state?**
- 2. Could you please provide any material on whether (and how) the recent election of the DMK-led democratic progressive alliance in Tamil Nadu is likely to affect the availability of state protection to Muslims who claim harm perpetrated by Hindus?**

#### RESPONSE

- 1. Could you please provide any material on whether (and how) the recent election of the DMK-led democratic progressive alliance in Tamil Nadu is likely to affect the Muslim – Hindu relations in this state?**
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#### Summary:

Information responding to these questions is limited to the period between 1996 and 2001, when the DMK last held government in Tamil Nadu, and for the period since May 2006 when the DMK again took office. The DMK acts more favourably towards Muslims than its main electoral ally, the AIADMK. Acts taken by the DMK after coming to power in 1996 seen to favour Muslims were followed by a dramatic escalation in Hindu-Muslim violence in late 1997 and early 1998. This violence included attacks by police on Muslims, which one report states went unaccounted for. The DMK government was criticised during this time for not acting swiftly enough on both Hindu and Muslim fundamentalist violence and using this

for its own electoral advantage. Since coming to power in May 2006, the DMK has again been accused of favouring Muslim extremists by dropping cases against youth allegedly involved in the desecration of statues of Hindu deities. However in July 2006 police in Tamil Nadu did intervene to arrest members of a Muslim organisation allegedly planning a terrorist attack in Coimbatore.

### General:

Of the two dominant state political parties in Tamil Nadu, the Dravida Munnetra Kazhagam or DMK is considered the one more likely to act favourably to minority groups, including Muslims, when in power. This is made clear in a 2003 DIMIA report on Hindu-Muslim relations in Tamil Nadu:

The main DMK and AIADMK rivals have historically governed as coalitions, and will make concessions to the smaller minority group parties to stay in power. **The DMK has been more willing to compromise to minority groups than the AIADMK**, which probably led it to officially cut ties with the BJP [a Hindu nationalist party] in December 2002. On winning office in February 2002, the normally pro Congress AIADMK party allied itself with the BJP, and presided over the passing of the pro Hindu, Prohibition of Forcible Conversion of Religion Bill in October 2002

... Much mention is made of safeguarding minority interests in the AIADMK's 2001 manifesto, **but its DMK rival has a much more consistent history of support for minority groups.**

... The [DMK] party is more explicitly pro Tamil, and more left wing in its policies and economic approach than the AIADMK. **It is historically more committed to minority rights, and social justice issues than the AIADMK, although it lost much of its Muslim, Communist and Dalit constituencies since 1998 through alliance with the BJP at the national and state level.**

... **The Muslim community views the AIADMK as less sympathetic to it than the DMK. However Muslims distrust both of the leading parties, on account of their links with the BJP, and because both are willing to accommodate Muslim interests only if it suits their immediate electoral objectives.** Coimbatore is often a focus for such vote buying because a large Muslim minority live there. (DIMIA Protection Decision Support Section, 2003 *The political situation and Hindu-Muslim relations in the state of Tamil Nadu*, July – Attachment 1).

This position of the DMK party toward minorities goes back to when it first came to power in 1967:

When the Dravida Munnetra Kazhagam (DMK) came to power in 1967, it was considered to be the party that would **accommodate the concerns of the minority community**, as well as of the various marginalised castes that were its primary constituency (Rajamohan, P.G. 2005, 'Tamil Nadu: The Rise of Islamist Fundamentalism', *Faultlines*, South Asia Terrorism Portal website, vol.16, 12 January <http://www.satp.org/satporgtp/publication/faultlines/volume16/Article5.htm> – Accessed 24 August 2006 – Attachment 2).

The DMK's favouritism toward Muslims is attested in its 1991 and 2006 election manifestos, in which it promised to make reservations for Muslims in educational institutions and government services when elected (DIMIA Protection Decision Support Section, 2003 *The political situation and Hindu-Muslim relations in the state of Tamil Nadu*, July – Attachment

1; 'TN Polls: DMK promises quota for minorities' 29 March 2006, rediff.com website <http://www.rediff.com/news/2006/mar/29dmk.htm> – Accessed 27 September 2006 – Attachment 3).

## **DMK Government: 1999 – 2001**

The DMK was last in power in Tamil Nadu between 1996 and May 2001. On coming to power in 1996, the DMK acted to assuage Muslim grievances and release on bail jailed members of the Al Umma group (a Muslim political organisation) allegedly involved in violence, all of which contributed to increased animosity between Hindus and Muslims. In November 1997, Hindu-Muslim violence escalated dramatically. This violence was also directed toward the police and led to retaliatory attacks on Muslims by elements of the police force:

Elections to the Lok Sabha and the Tamil Nadu Assembly were held in April 1996. **In response to the widely articulated grievances among Muslims, who form about 7 per cent of Coimbatore's population, DMK candidate for the city's Lok Sabha seat, M. Ramanathan, promised that if the DMK was returned to power, the hated Kottaimedu checkpoints would be removed.** As the trends showed that the DMK-Tamil Maanila Congress alliance was headed for a landslide win, Muslim youth tore down the checkpoints in Kottaimedu. Two police constables manning them were stabbed; one of them suffered serious injuries in the abdomen. A Left leader observed: **"Top DMK men developed contacts with Al-Umma and the Jihad Committee in a big way in Kottaimedu. This was a big mistake."** Towards the end of 1996, **G. Bhoopalan, a warder in the Coimbatore Central Prison, was killed, allegedly by Muslim militants, in a petrol bomb attack in the prison.**

What incensed the Hindu Makkal Katchi in Coimbatore was the release on bail of the 16 Al-Umma men who had been detained under TADA for their alleged involvement in the **RSS [Rashtriya Swayamsevak Sangh, a Hindu nationalist body] building blast and for possession of weapons.** They were released in January 1997 when the State Government prosecutor did not oppose their bail. A police officer recalled the scene: "When they were released, they were taken to Kottaimedu in a big procession from the Coimbatore Central Prison in a convoy of cars – as if they were freedom fighters." But Ahmed Pasha, who was also in prison for three and a half years and suffered much, dissociated himself from Al-Umma. He said he was disgusted with its violent ways.

**...It took but a single violent incident to cause a major explosion on November 29, 1997,** when Sub-Inspector M. Chandrasekaran of the Bazaar police station demanded the driving licence from two Muslims proceeding on a motorbike; the person who was in the front seat said he had left behind the licence at home. The two youth were detained in the police station. Al-Umma State secretary M. Mohammed Ansari came to the police station and demanded the release of the two men. Some distance away, traffic constable R. Selvaraj, who had nothing to do with this incident, was stabbed to death by three Muslim youth.

**This enraged the policemen, who went about toppling footpath shops and fruit carts belonging to Muslim traders, who were also beaten up.** Hindu extremists from nearby Kempatty Colony pitched in and looted even petty shops. **The next day, policemen in Coimbatore rebelled.** They walked out of their stations and sat in a dharna. Their wives took out a procession, demanding protection for their husbands. The police personnel refused to go back to work. It was a virtual revolt. The Army and the Central Reserve Police Force had to be called in.

In Kottaimedu and elsewhere, 18 Muslims were killed, most them **shot dead by policemen** or hacked down in a brutal communal pogrom. Meanwhile, members of the **Hindu Makkal**

**Katchi armed with deadly weapons, went about looting shops owned by Muslims, taking advantage of the absence of policemen. Hindu extremists also beat to death a couple of Muslims and burnt alive a Muslim youth.** They looted shops that sold textiles, furniture, footwear and electronic goods. **The most harrowing scenes were at the Coimbatore Medical College Hospital where some injured Muslims, or those who accompanied them, were lynched to death.**

A PUCL report describes how **a section of the police force, ganging up with Hindu militants, behaved in an outrageously communal and unlawful manner, for which there has been no official attempt to bring them to book. It said a police officer, along with 20 policemen, was seen shooting at Muslims without receiving orders to do so** (Subramanian, T.S. 1998, 'A time of troubles' March 7-20, *Frontline*, vol. 15, No. 05. <http://www.appiusforum.com/times.html> – Accessed 27 September 2006 – Attachment 4).

The increase in Islamic fundamentalist activities described above is directly attributed to the release of the 16 members of the Al Ummah organisation in January 1997 in a 2005 article by P. G. Rajamohan. It also refers to an official investigation into the violence which found laxity by the police force to act to prevent the violence; and to police sources who attribute blame for non-action to the DMK's wish not to upset its Muslim constituency. It argues at the same time that "the state's inability to protect Muslims during communal violence" encouraged youth to join these organisations:

Gradually, Al Ummah became popular among Islamist fundamentalists and radicals in Tamil Nadu, and eventually came under the national spotlight after the bomb blast at the Rashtriya Swayamsevak Sangh (RSS) office in Chennai on August 8, 1993, in which 11 persons were killed. Basha and 15 others were arrested under the National Security Act, 1980 (NSA) and the Terrorist and Disruptive Activities (Prevention) Act, 1987, (TADA), in connection with the blast and were imprisoned. However, after the **Dravida Munnetra Kazhagam's (DMK)** ascent to power in the 1996 election, they were released in January 1997, **as the regime did not want to 'hurt the sentiments' of the Muslim minority and dilute its 'vote bank'.**

...The All India Anna Dravida Munnetra Kazhagam's (AIADMK) bid to secure more Hindu votes by curbing Islamist fundamentalist organizations and **the DMK's strategy of appeasing the Muslims led to a further polarization in the State's political spectrum.** The RSS office bomb blast in 1993, during AIADMK rule, resulted in a heavy crackdown on fundamentalist organizations, especially the Al Ummah. **But after the DMK's victory in the 1996 elections, all the 16 accused – including S.A. Basha – in connection with the incident were released immediately. The result was a sudden revival of Islamist fundamentalist activities in the immediate aftermath of the release of Basha and the other accused.** Large-scale celebrations and processions by a certain section of the Muslim community were organized to welcome the released Al Ummah activists. **Thereafter, attacks on police personnel and police check posts by these fundamentalist groups were stepped up in Coimbatore, with the objective of looting arms and ammunitions.**

The Gokulakrishnan Commission Report **while establishing the 'deep-rooted conspiracy' of the 'Muslim fundamentalist organisations', particularly the Al Ummah,** also indicted the **police force for its apparent laxity.** According to the Commission, "Due to lapse on the **part of police personnel in discharging their duty more vigorously,** vigilantly and intelligently, the Muslim fundamentalists more especially, Al-Ummah cadres were able to explode the bombs at various places."

Despite detailed intelligence reports on January 31 and February 12 [1998] about the possibility of violence during L.K. Advani's visit, proper arrangements were not made to avert the incident. **Police sources alleged that the then ruling DMK Government did not**

**want to dilute its Muslim vote bank by initiating a police raid in the Muslim-dominated areas** – Muslims constituted seven per cent of Coimbatore’s population. **The communalization of the police forces had a direct bearing on the psyche of the minority population, sections of which supported fundamentalist organizations. The state’s inability to protect Muslims during communal violence further enabled Islamist fundamentalists to bring certain sections of the Muslim youth into their fold** (Rajamohan, P.G. 2005, ‘Tamil Nadu: The Rise of Islamist Fundamentalism’, *Faultlines*, South Asia Terrorism Portal website, vol.16, 12 January <http://www.satp.org/satporgtp/publication/faultlines/volume16/Article5.htm> – Accessed 24 August 2006 – Attachment 2).

The failure of the police to act to stop communal violence is attributed to the DMK itself by some political leaders and police officers who accused it of acting too late to avert communal violence. The DMK was said to have adopted a soft policy of complacency or limited action toward both Hindu and Muslim fundamentalists, including toward communalised sections of the police force which participated in the violence:

Informed political leaders and police officers expressed the view that the November-December violence of last year [1997] and the bomb blasts on February 14 [1998] could have been averted if the ruling Dravida Munnetra Kazhagam (DMK) Government had **acted in time**.

...Following the murder of a traffic constable by some Muslim youth in November 1997, militants belonging to Hindu fundamentalist organisations joined a **communalised section of the police force to unleash a murderous pogrom on innocent Muslims in Coimbatore. The DMK Government, perhaps with an eye on electoral factors, adopted a soft policy towards fundamentalist organisations on both sides.**

The **complacent policy** continued even after Tamil Nadu police commandos, following a tip-off, seized a huge cache of explosives (gelatin sticks), detonators, iron pipes, PVC pipes, alarm clocks, cables, wires, soldering equipment, saws and testers, all of which are used in the making of bombs. The seizure took place from a house at Kodungaiyur, a suburb of Chennai, on March 11, 1997. The police arrested two fundamentalists belonging to the Al-Umma group: Mohammed Khan alias Sirajuddin (26) and Shahul Hameed alias Aftar (22). Mohammed Khan is the brother of S.A. Basha, one of the founders of Al-Umma.

**There was no crackdown, let alone ban, on Al-Umma** even after a powerful blast ripped apart a rice mill called the Mohammadiya Mill at Saliyamangalam, near Thanjavur, on February 8, revealing the lethal cargo stored in the mill. Here, the police seized about 84 gelatin sticks, 50 kg of sulphur, 11.5 kg of ammonium nitrate, 100 detonators, two country pistols, and bottles containing nitric and sulphuric acid. The owner of the mill, Abdul Hameed, and his son, Abdul Khader, were arrested. Abdul Khader was seriously injured in the blast. Police investigation revealed that Abdul Khader was connected to some Muslim extremist organisations. The police arrested two others, Abdul Kuthose, 51, and Abdul Saleem, 41, both belonging to Madurai district, in connection with the blast. **But this action came more than a week after the serial blasts in Coimbatore. Another opportunity to take preventive action, in a significant political and legal way, was lost.**

**These indications and warnings of big trouble failed to make the State Government act firmly.** It was a significant failure of preventive action. When the Tamil Nadu Government – shaken out of its complacency by the serial bomb explosions – moved to proscribe Al-Umma and the Jihad Committee, **it was “like locking the stables after the horses have bolted,” in the words of a police officer.**

**THE growth of the Hindu Munnani and its later offshoot, the Hindu Makkal Katchi (Hindu People's Party), and their Muslim counterparts, Al-Umma and Jihad Committee, is thus essentially a tale of vote-bank politics played by both the All India Anna Dravida Munnetra Kazhagam (AIADMK) and the DMK. The Hindu Munnani and Al-Umma grew, feeding on each other's mischief** (Subramanian, T.S. 1998, 'A time of troubles' March 7-20, *Frontline*, vol. 15, No. 05. <http://www.appiusforum.com/times.html> – Accessed 27 September 2006 – Attachment 4).

### **The DMK government: May 2006 to the present**

Three months after coming to power in May 2006, the DMK government appeared again to be favouring Muslim fundamentalists. Cases against 12 followers of Kichaan Buhari, an Al Umma sympathizer, relating to the desecration of Hindu statues of deities in a village near Tirunelveli were dropped on order of the DMK government:

**Senior policemen in Tirunelveli are shocked by what they term the DMK government's "blatant sympathy" for the Muslim fundamentalists.** "Obviously, the accused committed the offence with the grave intention to create law and order problems and disrupt peace in Tirunelveli district, known to be communally sensitive. **Also, all of them have links with Muslim fundamentalist outfits.** The government should have allowed the law to take its natural course. For a new government to resort to such a move is rather demoralising for the police force," said a senior police officer in Tirunelveli.

Tirunelveli, with its large concentration of Muslims, is considered a communally sensitive district. ... There are also allegations that the ruling DMK was bending backwards to appease its electoral ally, the **Tamil Nadu Muslim Munnetra Kazhagam (TMMK)**. A section of the police believe that the dropping of the six cases by the DMK government could be part of a pre-poll deal with the TMMK (Menon, J. 2006, 'DMK govt ordered six cases dropped against Muslim hardliners in TN' 7 August, *The Indian Express* website <http://www.indianexpress.com/story/10098.html> – Accessed 21 September 2006 – Attachment 5).

An article on the release of the 12 men in the *Hindustan Times* also alleges that the DMK is taking a lenient attitude toward Muslim fundamentalists upon coming to power because of pressure from its electoral ally the Tamil Nadu Muslim Munnetra Kazhagam (TMMK) political party. The TMMK was set up by the banned Students' Islamic Movement of India (SIMI) in the late 1990s, according to a July 2006 *Business Standard* article (Shekhar, G.C. 2006, 'TN jailbirds get spa treatment' 8 August, *The Hindustan Times* website [http://www.hindustantimes.com/news/181\\_1763201,000900020001.htm](http://www.hindustantimes.com/news/181_1763201,000900020001.htm) – Accessed 27 September 2006 – Attachment 6; 'The when, where, why, what of SIMI; What is the Students' Islamic Movement of India (SIMI)' 14 July 2006, *Business Standard* – Attachment 7).

The most recent event involving the DMK government in Hindu-Muslim relations occurred in July 2006. Tamil Nadu police intervened to arrest youth members of a Muslim fundamentalist organisation, the Manidha Nadu Paasarai (Human Right Force), for their alleged involvement in planning a terrorist attack in Coimbatore. Allegations that this organisation had links to the DMK's electoral ally the TMMK were explicitly denied by the Coimbatore Police Commissioner, Karan Singh. Some police believed that the Manidha Nadu Paasarai (Human Right Force) was instead a revival of the banned SIMI organisation. The *Indian Express* article detailing these events ends by stating that the arrests will cause "embarrassment" to the DMK because of the "spotlight already on the DMK's 'lenience' towards the UI Umma prisoners and jailed PDP leader Abdul Nasser Mahdani, who is being

tried in the 1998 Coimbatore blasts case” (‘Five held with explosives, Coimbatore was target’ 23 July 2006, *Indian Express* – Attachment 8).

## List of Sources Consulted

### Internet Sources:

#### **Government Information & Reports**

#### **United Nations (UN)**

#### **Non-Government Organisations**

#### **International News & Politics**

rediff.com website <http://www.rediff.com/>

Frontline <http://www.appiusforum.com/>

*The Indian Express* website <http://www.indianexpress.com/>

*The Hindustan Times* website <http://www.hindustantimes.com/>

*Business Standard* website

#### **Region Specific Links**

South Asia Terrorism Portal website <http://www.satp.org/>

#### **Topic Specific Links**

#### **Search Engines**

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

#### **Online Subscription Services**

#### **Library Networks**

#### **University Sites**

### Databases:

FACTIVA (news database)

BACIS (DIMA Country Information database)

REFINFO (IRBDC (Canada) Country Information database)

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

RRT Library Catalogue

## List of Attachments

1. DIMIA Protection Decision Support Section, 2003 *The political situation and Hindu-Muslim relations in the state of Tamil Nadu*, July. (CISNET India CX83699)
2. Rajamohan, P.G. 2005, ‘Tamil Nadu: The Rise of Islamist Fundamentalism’, *Faultlines*, South Asia Terrorism Portal website, vol.16, 12 January <http://www.satp.org/satporgtp/publication/faultlines/volume16/Article5.htm> – Accessed 24 August 2006.
3. ‘TN Polls: DMK promises quota for minorities’ 29 March 2006, rediff.com website <http://www.rediff.com/news/2006/mar/29dmk.htm> – Accessed 27 September 2006.
4. Subramanian, T.S. 1998, ‘A time of troubles’ March 7-20, *Frontline*, vol. 15, No. 05. <http://www.appiusforum.com/times.html> – Accessed 27 September 2006.

5. Menon, J. 2006, 'DMK govt ordered six cases dropped against Muslim hardliners in TN' 7 August, *The Indian Express* website <http://www.indianexpress.com/story/10098.html> – Accessed 21 September 2006.
6. Shekhar, G.C. 2006, 'TN jailbirds get spa treatment' 8 August, *The Hindustan Times* website [http://www.hindustantimes.com/news/181\\_1763201,000900020001.htm](http://www.hindustantimes.com/news/181_1763201,000900020001.htm) – Accessed 27 September 2006.
7. 'The when, where, why, what of SIMI; What is the Students' Islamic Movement of India (SIMI)' 14 July 2006, *Business Standard*. (FACTIVA)
8. 'Five held with explosives, Coimbatore was target' 23 July 2006, *Indian Express*. (FACTIVA)