



Home Office

# **Country Policy and Information Note**

## **India: Religious minorities and Scheduled Castes and Tribes**

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# Executive summary

In general, a person belonging to a Scheduled Caste (SC) or Scheduled Tribe (ST), or minority religion is unlikely to be at risk of persecution or serious harm from state and/or non-state actors.

India is a secular republic and the Constitution and Penal Code protect religious freedom and prohibit discrimination on the grounds of a person's faith. With a population of approximately 1.4 billion, Hindus constitute approximately 80%, Muslims 14% and there are smaller numbers of Christians, Sikhs, and other groups, all of which express and practise their faith freely throughout India.

Legislation states that the government will protect the existence of religious minorities and encourage conditions for the promotion of their individual identities. However, some national and states' laws and policies are restrictive and discriminatory, including the Citizenship Amendment Act (which excludes Muslims) and enforcement of 'anti-conversion' laws which impose penalties for converting from Hinduism (predominantly affecting Christians).

There have been reports of public authorities and politicians making inflammatory public statements against religious minorities, and the authorities supporting, participating in, ignoring or failing to investigate violence by Hindu nationalist vigilante groups due to their links to the ruling Hindu nationalist Bharatiya Janata Party (BJP). This primarily affects Muslims and to a lesser extent Christians.

Muslims face instances of local state discrimination, including police hostility and harassment, damage to and raids on their properties, closure of mosques and in some cases, particularly during communal violence, arbitrary arrest and detention. Although there have been instances of mob violence and attacks against Muslims in India in recent years, relative to the size of the Muslim population in India, numbers are low.

Christians can experience interruption of church services or worship, vandalism of property, physical violence and threats and harassment, most typically being accused of forcibly converting Hindus to Christianity.

Sikhs do not generally encounter problems with the authorities and are less affected by communal violence.

The Constitution seeks to protect and promote the rights of SCs and STs and government initiatives have sought to improve their position in society. However, they remain subject to widespread societal discrimination, including segregation, difficulties accessing services such as health care, education, and temple attendance. Women may face increased discrimination because of their gender. Incidents of violence against SC and STs occur, although are relatively uncommon.

In general, the state is willing and able to offer effective protection and internal relocation is likely to be reasonable. Each case must be considered on its facts.

Where a claim is refused, it must be considered for certification under section 94 of the Nationality, Immigration and Asylum Act 2002 as India is listed as a designated state. It is likely to be certifiable as 'clearly unfounded'.

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# Assessment

## About the assessment

This section considers the evidence relevant to this note – that is information in the [country information](#), refugee/human rights laws and policies, and applicable caselaw – and provides an assessment of whether, **in general**:

- a person is likely to face a real risk of persecution/serious harm by the state and/or by non-state actors because of their religion or, in the case of members of Scheduled Castes or Scheduled Tribes, particular social group.
- a person is able to obtain protection from the state (or quasi state bodies)
- a person is reasonably able to relocate within a country or territory
- a grant of asylum, humanitarian protection or other form of leave is likely, and
- if a claim is refused, it is likely or unlikely to be certifiable as ‘clearly unfounded’ under [section 94 of the Nationality, Immigration and Asylum Act 2002](#).

Decision makers **must**, however, still consider all claims on an individual basis, taking into account each case’s specific facts.

This CPIN does not cover the situation in Jammu and Kashmir region, although it is referred to in some of the COI sources used.

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## 1. Material facts, credibility and other checks/referrals

### 1.1 Credibility

1.1.1 For information on assessing credibility, see the instruction on [Assessing Credibility and Refugee Status](#).

1.1.2 Decision makers must also check if there has been a previous application for a UK visa or another form of leave. Asylum applications matched to visas should be investigated prior to the asylum interview (see the [Asylum Instruction on Visa Matches, Asylum Claims from UK Visa Applicants](#)).

1.1.3 In cases where there are doubts surrounding a person’s claimed place of origin, decision makers should also consider language analysis testing, where available (see the [Asylum Instruction on Language Analysis](#)).

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## 1.2 Exclusion

- 1.2.1 Decision makers must consider whether there are serious reasons for considering whether one (or more) of the exclusion clauses is applicable. Each case must be considered on its individual facts and merits.
- 1.2.2 If the person is excluded from the Refugee Convention, they will also be excluded from a grant of humanitarian protection (which has a wider range of exclusions than refugee status).
- 1.2.3 For guidance on exclusion and restricted leave, see the Asylum Instruction on [Exclusion under Articles 1F and 33\(2\) of the Refugee Convention, Humanitarian Protection](#) and the instruction on [Restricted Leave](#).

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## 2. Convention reason(s)

- 2.1.1 Actual or imputed religion and or a person's actual or imputed membership of a particular social group (PSG).
- 2.1.2 Members of Scheduled Castes (SCs) and Scheduled Tribes (STs), form a particular social group (PSG) in India within the meaning of the Refugee Convention because they share a common characteristic that cannot be changed and have a distinct identity which is perceived as being different by the surrounding society. This is because for centuries they have been forced to live as second-class citizens and not considered as part of India's social hierarchy. Some of this stigma remains today.
- 2.1.3 Although members of SC and ST form a PSG, this is not sufficient to be recognised as a refugee. The question is whether the person will face a real risk of persecution on account of their membership of such a group.
- 2.1.4 For further guidance on the 5 Refugee Convention grounds see the Asylum Instruction, [Assessing Credibility and Refugee Status](#).

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## 3. Risk

### 3.1 Religious minorities – overview

- 3.1.1 Almost 80% of India's 1.4 billion population belong to the Hindu faith. Muslims constitute the largest religious minority, around 14% of population. Smaller minorities include Christians (2.3% of the population), Sikhs (1.7%) and Buddhists (<1%). A further 1.3% of India's population follow other religions including Jain, Zoroastrian, Jewish and Baha'i faiths, and other tribal religions (see [Religious demography and geography](#))
- 3.1.2 India is a secular republic and the Constitution and Penal Code protect

religious freedom and prohibit discrimination on the grounds of a person's faith. The law provides for 'minority community' status for Muslims, Sikhs, Christians, Parsis, Jains and Buddhists. (see [Legal context](#) and [Religious demography and geography](#)).

- 3.1.3 Legislation states that the government will protect the existence of religious minorities and encourage conditions for the promotion of their individual identities. However, some national and states' laws and policies are restrictive and discriminatory, including the Citizenship Amendment Act and enforcement of 'anti-conversion' laws, which impose penalties for converting from Hinduism (see [Legal context](#), [Citizenship Amendment Act \(CAA\)](#), [Anti-cow slaughter legislation](#) and [Conversion and 'forced' conversion](#)).
- 3.1.4 There have been occasional reports of public authorities and politicians possibly inciting communal violence against religious minorities and the authorities supporting, participating in, ignoring or failing to investigate violence by Hindu nationalist vigilante groups, due to their links to the ruling Hindu nationalist Bharatiya Janata Party (BJP) (see [Attacks perpetrated by Hindu Nationalists](#)).
- 3.1.5 For further guidance on assessing risk, see the Asylum Instruction on [Assessing Credibility and Refugee Status](#).

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## 3.2 State treatment of Christians

- 3.2.1 In general, Christians are unlikely to be subject to treatment by the state that is sufficiently serious, by its nature and/or repetition, to amount to persecution or serious harm. The onus is on the person to demonstrate otherwise.
- 3.2.2 Christians are able to express and practise their faith freely throughout India, including at established churches, without facing restrictions from the state. Christians have access to education, employment, and government services although there is a lack of representation in the political sphere (see State treatment of religious minorities – [Christians](#)).
- 3.2.3 Christians are the religious minority most affected by vaguely defined state laws on 'forced' conversion, which provide state agents with wide powers of arrest. Those arrested under these laws, including missionaries, can be subject to fines as well as other penalties such as prison sentences of up to 3 years. According to Catholic Asian News (UCA News) more than 25 Christians including pastors were detained or arrested within a week in September 2023 over alleged conversion activities and more than 100 people including pastors in the previous six months. There are no available figures on the number of prosecutions, convictions or detail of any sentences handed down for conversion cases, although reports indicate that some state high courts have dismissed cases brought under the forced conversion law (see [Conversion and 'forced' conversion](#)).
- 3.2.4 Offences committed against Christians can go unreported because victims lack trust in the police. However, a person's reluctance to seek protection does not necessarily mean that there is an unwillingness or inability of the police to offer protection (see [Protection](#).)

- 3.2.5 There have been incidences where police and other law enforcement agencies have either not acted on complaints or have arrested and prosecuted Christian victims of violence rather than the perpetrators, and examples of authorities not recording crimes committed against Christians as religiously motivated. Although these events do occur, information does not indicate such treatment is widespread or systemic (see State treatment of religious minorities – [Christians](#)).
- 3.2.6 For further guidance on assessing risk, see the Asylum Instruction on [Assessing Credibility and Refugee Status](#).

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### 3.3 State treatment of Muslims

- 3.3.1 In general, Muslims are unlikely to be subject to treatment by the state that is sufficiently serious, by its nature and/or repetition, to amount to persecution or serious harm. The onus is on the person to demonstrate otherwise.
- 3.3.2 Muslims have freedom to practise their faith – including attending (the c. 300,000) mosques throughout India – and have access to education and employment.
- 3.3.3 There have been two Muslim Presidents and parliamentary representation is common, including at cabinet level, although they are under-represented as a proportion of their population. Personal status laws establish civil codes for Muslims in marriage, divorce, adoption, and inheritance and are legally recognised by the state and judicially enforceable. The government grants autonomy to the All India Muslim Personal Law Board to define their customary practices (see [Personal status laws](#))
- 3.3.4 State authorities in India have implemented laws and policies which discriminate against Muslims, including the anti-conversion law, bans on wearing headscarves in school and the Citizenship Amendment Act (CAA), adopted in December 2019. The CAA makes religion a basis for citizenship by changing the definition of an illegal migrant, allowing some nationalities and faiths to apply for Indian citizenship under certain conditions, but does not include a way to identify as a Muslim. The National Population Register (NPR) nationwide verification process to identify illegal migrants, planned to rollout alongside the CAA, was postponed in 2020 in the wake of the Covid-19 pandemic however, it reportedly resumed in tandem with the 2021 census. In sources consulted there was no information on whether the CAA or NPR has affected Muslims or others in practice (see [Personal status laws](#) and [Citizenship Amendment Act \(CAA\)](#)).
- 3.3.5 Some politicians and government officials have made inflammatory and anti-Muslim public statements, and comments by a BJP state legislator in Bihar in May 2022 that Muslims should be ‘set ablaze’. In June 2022 two former BJP spokespersons insulted the Prophet Mohammed in a prime-time TV news debate, resulting in thousands of people protesting in states across India. During this time there were examples of police violence against Muslim protestors documented by Amnesty International. However, there is no information on the scale and extent of such treatment and single incidents, relative to the size of the Muslim population in India, do not indicate it is systemic or widespread (see State treatment of religious



minorities – [Muslims](#)).

- 3.3.6 Muslims in India face instances of local state discrimination, including police hostility and harassment, raids on their properties and arbitrary arrest and detention. Destruction of homes, buildings and shops owned by Muslims have occurred. Authorities claim the buildings are illegal, do not have permits or demolish them due to communal violence, a retaliatory practice that the Supreme Court of India has found illegal. Mosques have also been demolished to make way for roads and other buildings (see State treatment of religious minorities – [Muslims](#)).
- 3.3.7 During communal violence there are reports that police disproportionately arrest Muslims compared to Hindus and fail to intervene in or register crimes committed by Hindu Nationalist groups when there are Muslim victims (see State treatment of religious minorities – [Muslims](#)).
- 3.3.8 Anti-cow slaughter legislation exists throughout most states and territories of India but disproportionately affects Muslims due to their traditional consumption of beef. Those involved in cow-slaughter incidents, may face instances of local state discrimination, including police hostility, harassment and arrest. Penalties for contravening the laws vary between states but include available sentences of 6 months to 7 years imprisonment and fines between 1,000 rupees (£10) to 1,000,000 rupees (£10,000) (see [Anti-cow slaughter legislation](#)).
- 3.3.9 For further guidance on assessing risk, see the Asylum Instruction on [Assessing Credibility and Refugee Status](#).

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### 3.4 State treatment of Sikhs

- 3.4.1 In general, Sikhs are unlikely to be subject to treatment by the state that is sufficiently serious, by its nature and/or repetition, to amount to persecution or serious harm. The onus is on the person to demonstrate otherwise.
- 3.4.2 Sikhs generally have freedom to practise their faith, have access to education and employment and are represented in the political sphere. There is little recent information on problems encountered by Sikhs from the authorities and very few reported incidents of recent police mistreatment.
- 3.4.3 There are limited examples of officials and those in the BJP making derogatory or abusive comments to the Sikh community. In January 2022 Prime Minister Modi could not access an area of Punjab due to protests by Sikh farmers and reportedly said he had ‘escaped with his life’, which resulted in threats on social media directed at the Sikh community, including by members of the BJP (see State treatment of religious minorities – [Sikhs](#)).
- 3.4.4 For further guidance on assessing risk, see the Asylum Instruction on [Assessing Credibility and Refugee Status](#).

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### 3.5 State treatment of Scheduled Castes and Scheduled Tribes

- 3.5.1 In general, Scheduled Castes (SCs) (Dalits) and Scheduled Tribes (STs) are

unlikely to be subject to treatment by the state that is sufficiently serious, by its nature and/or repetition, to amount to persecution or serious harm. The onus is on the person to demonstrate otherwise.

- 3.5.2 The Constitution of India outlines that a person is a member of a SC or ST if he/she belongs to a caste or a tribe which has been declared as such under the various orders issued by the Government (see [Scheduled Castes](#) and [Scheduled tribes](#)).
- 3.5.3 The 2011 census of India estimated there to be approximately 201 million members (approximately 17% of India's population) of SCs. The Ministry of Tribal Affairs officially recognises more than 104 million members of STs, indigenous groups historically outside the caste system who often practise indigenous religious beliefs. Government statistics officially recognise the majority as Hindu, however an estimated 10 million of those listed as belonging to a ST are Christian, according to the 2011 census.
- 3.5.4 Articles 15 and 16 of the Constitution provide reservations (a system of affirmative action) that provides representation in education, employment, and politics for Hindu, Sikh, and Buddhists SC members. These groups are eligible to receive special benefits and to compete for reserved seats in legislatures, government, and educational institutions. Non-Hindus belonging to a SC, especially Christians and Muslims, do not qualify for the officially reserved jobs or school placements, putting these groups at a significant economic and social disadvantage. The only means through which Christian and Muslim SC members may qualify for affirmative action benefits is if they are considered members of the 'backward' classes (groups deemed by the government of India to be economically or socially disadvantaged) due to their social and economic status (see [Scheduled Castes](#)).
- 3.5.5 For further guidance on assessing risk, see the Asylum Instruction on [Assessing Credibility and Refugee Status](#).

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### 3.6 Societal treatment of Christians

- 3.6.1 In general, Christians are unlikely subject to treatment by non-state actors that is sufficiently serious, by its nature and/or repetition, to amount to persecution or serious harm. The onus is on the person to demonstrate otherwise.
- 3.6.2 Christians are, in general, able to express and practice their faith freely throughout India. Christians can experience social exclusion, discrimination, interference in their worship and harassment most typically due to accusations of forcibly converting Hindus to Christianity. Christians can experience vandalism of property, physical violence, and threats from non-Christians (see [Hindu nationalism](#), Societal treatment of religious minorities – [Christians](#) and [Conversion and 'forced' conversion](#)).
- 3.6.3 There have been occasional attacks against Christians in India in recent years. Most incidents are suspected to be by Hindu groups and organisations. According to the United Christian Forum (UCF), a human rights group based in New Delhi, there were 525 attacks by vigilante groups against Christians in the first eight months of 2023. This was an increase on

the 305 incidents of violence against Christians recorded in the first nine months of 2021 according to the Association for the Protection of Civil Rights, United Against Hate, and UCF. However, these numbers are low relative to the size of the Christian population in India (around 28 million people) and therefore they do not indicate such treatment is widespread (see [Hindu nationalism](#) and Societal treatment of religious minorities – [Christians](#)).

- 3.6.4 For further guidance on assessing risk, see the Asylum Instruction on [Assessing Credibility and Refugee Status](#).

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### 3.7 Societal treatment of Muslims

- 3.7.1 In general, Muslims are unlikely to be subject to treatment by non-state actors that is sufficiently serious, by its nature and/or repetition, to amount to persecution or serious harm. The onus is on the person to demonstrate otherwise.
- 3.7.2 Muslims experience discrimination in employment, particularly in rural areas, lower salaries compared to non-Muslims and difficulties in accessing housing either due to refusal by landlords or the imposition of higher rents. They can also experience discrimination in accessing health care and basic services (see Societal treatment of religious minorities – [Muslims](#)).
- 3.7.3 Some Muslims experience harassment and discrimination, hate speech, violence, religiously motivated killings, and mob attacks, particularly from Hindu nationalists. In April 2022, Muslim-owned properties, businesses, and places of worship were attacked in 9 states during religious processions celebrating Hindu festivals. In July 2023 a hard-line Hindu group clashed with Muslim residents in Nuh district, northern state of Haryana resulting in the death of six people and left more than 50 injured (see Societal treatment of religious minorities – [Muslims](#) and [Hindu nationalism](#)).
- 3.7.4 Some Muslims are targeted by ‘cow protection groups’ because of their consumption of beef and because many Muslims’ livelihoods are related to the cattle trade. The United States Commission on International Religious Freedom (UNCIRF) referenced media reports from 2021 and 2022 in relation to 5 cases of violence resulting in injury or the death of persons suspected of cow smuggling or slaughter. The examples they provided were reported in Tripura, Rajasthan, Bihar, Uttar Pradesh, and Delhi. According to the All Muslim Youth Association (AMYA), between March 2016 and December 2022 there were 58 lynchings related to cow slaughter in Jharkhand, including the death of 16 Muslims (see Societal treatment of religious minorities – [Muslims](#), [Cow slaughter](#) and [Hindu nationalism](#)).
- 3.7.5 Although there have been instances of mob violence and attacks against Muslims in India in recent years, relative to the size of the Muslim population in India, numbers are low (see [Attacks perpetrated by Hindu Nationalists](#)).
- 3.7.6 For further guidance on assessing risk, see the Asylum Instruction on [Assessing Credibility and Refugee Status](#).

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## 3.8 Societal treatment of Sikhs

- 3.8.1 In general, Sikhs are unlikely to be subject to treatment by non-state actors that is sufficiently serious, by its nature and/or repetition, to amount to persecution or serious harm. The onus is on the person to demonstrate otherwise.
- 3.8.2 Incidents of communal violence against Sikhs are less frequent than against other religious minorities. Some Sikhs face localised harassment by non-state actors, including Hindu nationalists. However, generally, Sikhs living in and outside Punjab do so safely and integrate socially into their communities (see Societal treatment of religious minorities – [Sikhs](#)).
- 3.8.3 For further guidance on assessing risk, see the Asylum Instruction on [Assessing Credibility and Refugee Status](#).

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## 3.9 Societal treatment of Scheduled Castes (Dalits) and Scheduled Tribes

- 3.9.1 In general, members of Scheduled Castes (SCs) and Scheduled Tribes (STs) are not at real risk of persecution or serious harm from non-state actors and the level of societal discrimination is not likely to be sufficiently serious by its nature and/or repetition, or by an accumulation of various measures, to amount to persecution or serious harm. The onus is on the person to demonstrate otherwise.
- 3.9.2 Members of SC, also known as Dalits, are sometimes referred to as the 'untouchables' because of their low-level position in social and religious hierarchy. Despite government initiatives which have had a positive impact and improved the position in society of members of SC, they are still subject to widespread societal discrimination, including social segregation, which particularly affects SC women and girls. Members of SC experience difficulties in accessing services such as health care, education and attending places of worship.
- 3.9.3 Around 80% of members of SCs live in rural areas and are employed predominantly as farmers or landless labourers where some experience economic exploitation and debt bondage. However, there are increasing numbers employed in relatively secure jobs such as public service, the railways, and private industry such as banking. Those living in cities are more likely to be able to access higher education (see [Treatment of members of Scheduled Castes and Tribes](#)).
- 3.9.4 Incidents of violence against SCs occur, although they are relatively uncommon. Reports include members of SCs being lynched, abused, and beaten for acting outside of social and hierarchical expectations, for example touching food, water or the property of higher-caste members. SC women and girls face exploitation, abuse and are vulnerable to sexual violence due to their caste status (see [Scheduled Castes](#) and [Scheduled Tribes](#)).
- 3.9.5 Scheduled Tribes, also known as Adivasis are indigenous Indians and face social and economic marginalisation. There is limited information on their treatment although there are some examples of forced conversion, eviction, sexual and gender-based violence against women, and mob violence. According to Jharkhand Janadhikar Manch, a human rights collective, more

than 30 tribal Christians and Muslims were lynched or beaten in Jharkhand on suspicion of cow slaughter or sale and consumption of beef between 2016 and 2021. In November 2022, a 46-yr-old tribal man was lynched for drawing water from tube well in Jodhpur, Rajasthan (see [Treatment of members of Scheduled Castes and Tribes](#)).

- 3.9.6 In 2021, according to the government of India there were just under 60,000 cases reported to police under the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act of 1989 Act, with recorded offences ranging in severity from 'simple hurt' with over 15,000 cases to 975 cases of murder. Although incidents are likely to be underreported, these numbers are low in a SC/ST population of around 304 million people (see [Scheduled Castes and Tribes](#)).
- 3.9.7 For further guidance on assessing risk, see the Asylum Instruction on [Assessing Credibility and Refugee Status](#).

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### 3.10 Inter-faith and inter-caste marriages

- 3.10.1 In general, persons in or entering inter-faith and inter-caste marriages are unlikely to be subject to treatment by state and/or non-state actors that is sufficiently serious, by its nature and/or repetition, to amount to persecution or serious harm. The onus is on the person to demonstrate otherwise.
- 3.10.2 Inter-faith and inter-caste marriages are legal in most states. However, many Indian families still prefer marriages arranged within their own religious group and caste. Around 10% of all marriages in India take place between different castes while around 2.1% of marriages are inter-faith. According to research by Pew between late 2019 and early 2020, there is less objection to inter-caste marriages in the South and Northeast of India compared to other areas. Persons entering inter-faith marriages may, in some cases, be subject to disapproval from their families, discrimination, societal exclusion or family or communal violence. There are examples of high-profile interfaith marriages including between BJP politicians (see [Interfaith marriages](#)).
- 3.10.3 In 8 states, anti-conversion laws ban religious conversion solely for the purpose of marriage and make it mandatory to give notice of conversion to state authorities. In November 2020, India's Uttar Pradesh state government passed the Unlawful Religious Conversion Ordinance which resulted in cases filed under the law against 86 people, 79 of whom were Muslim men for forced conversion. In most cases the complainant is not the woman but her family objecting to the inter-faith marriage (see [Interfaith marriages](#) and [Conversion and 'forced' conversion](#)).
- 3.10.4 For further guidance on assessing risk, see the Asylum Instruction on [Assessing Credibility and Refugee Status](#).

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## 4. Protection

- 4.1.1 Where the person has a well-founded fear of persecution from the state they will not, in general, be able to obtain protection from the authorities.
- 4.1.2 Where the person's fear is of persecution and/or serious harm from non-

state actors, in general, the state is willing and able to offer effective protection. Each case must be considered on its facts.

- 4.1.3 Police effectiveness and conduct varies from state to state. Although there have been improvements in police numbers in recent years, it is undermined by inadequate training and equipment, limited resources, and corruption. Police investigations can be obstructed by some police officers refusing to register victim's complaints, insufficient training, and outdated forensic and cyber infrastructure. Underprivileged groups, including members of SCs and STs are affected by limited enforcement of protective laws. Police investigations may also be affected by bias in relation to class, caste, ethnicity and religion of the victim or offender. There continue to be reports of police intimidating, harassing, and abusing some members of religious minorities and SC and ST (see [State treatment of religious minorities](#) and [Country Policy and Information Note India: Actors of protection](#)).
- 4.1.4 There are isolated examples of state discrimination against religious minorities and members of SC and ST, particularly in the wake of large-scale protesting or in cases of bovine slaughter and religious conversion, including police hostility and harassment. The police are sometimes unwilling to investigate and pursue those responsible for committing acts of violence against religious minorities and members of SC and ST, and there are examples whereby victims have been prosecuted in religiously motivated crimes rather than the perpetrator (see [Scheduled Castes](#) and [Scheduled Tribes](#)).
- 4.1.5 However, the police have also reportedly responded to violence against religious minorities, initiating investigations and arresting perpetrators. The Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act of 1989 provides for 'punishment for atrocities' and deals with hate crimes against persons belonging to a SC, allows for speedy trials, special courts and for victims to be able to seek redress. However, Christian and Muslim members of SCs are excluded from the provisions. The 2021 and 2022 government of India statistics show during this period cases under the Act were investigated, charged and progressed through the courts, although conviction rates remain low, particularly for crimes against women from SC/STs. According to the International Dalit Solidarity Network (IDSN), less than 2 per cent of rape cases against SC women result in convictions, compared to around 25 per cent against women in India generally (see [Scheduled Castes](#)).
- 4.1.6 There are examples where the government has taken action to investigate and prosecute politicians and government officials who have made derogatory or inflammatory public statements in relation to religious minorities. Whilst there are reports of police mistreatment of members of religious minorities and SC and ST, there is no generalised risk of inaction facing all members of these groups (see [State treatment of religious minorities](#) – [Muslims](#), [Scheduled Castes](#) and [Scheduled Tribes](#)).
- 4.1.7 There are avenues of redress accessible to victims in cases where police officers fail to follow due process. These include in-station complaints processes, an escalation of complaints to Magistrates to take forward and through the Indian National Human Rights Commission. The National

Commission for Minorities, the National Human Rights Commission, and the Ministry of Minority Affairs are organisations present in India who investigate allegations of religious discrimination. Whilst the commissions have no powers of enforcement, they are able to submit their findings of racial discrimination to law enforcement agencies for action. There is little evidence that, in general, the police would fail to properly investigate a serious incident of violence, or another serious crime, on the basis that the person is from a religious minority or SC or ST (see [National Commission for Minorities \(NCM\)](#) and [Avenues of redress](#)).

4.1.8 See also the Country Policy and Information Notes, [India: Actors of protection](#) and [India: Women fearing gender-based violence](#).

4.1.9 For further guidance on assessing state protection, see the Asylum Instruction on [Assessing Credibility and Refugee Status](#).

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## 5. Internal relocation

5.1.1 In general, there are parts of the country where a person would not have a well-founded fear of persecution/real risk of suffering serious harm, and it will be reasonable for them to relocate there.

5.1.2 While the onus is on the person to establish a well-founded fear of persecution or real risk of serious harm, decision makers must demonstrate that internal relocation is reasonable (or not unduly harsh) having regard to the individual circumstances of the person.

5.1.3 India is a diverse, multi-ethnic, multi-lingual society country, about 14 times bigger than the UK, with a population of around 1.4 billion. The country comprises 36 states and union territories. There are multiple urban centres with populations of over 1 million and many major cities with populations of over 5 million (see [Demography](#)).

5.1.4 Hinduism is the majority faith but religious minority communities can be found across the country, including the major cities, and in some states form the majority religion (see [Geography](#)).

5.1.5 In the country guidance case of [WF \(Internal Relocation - Christian\) India CG \[2002\] UKIAT 04874](#) promulgated 15 Oct 2002, heard on 13 Aug 2002, the Upper Tribunal considering the position for Christians held that... 'In our judgment, neither the State Department report nor the other documents before us give any reason to believe that Mr Farrer [the Appellant], as a practising Roman Catholic Christian, would find it unduly harsh to relocate from Gujarat to other areas of India where sentiment against Christians is not strong' (paragraph 8).

5.1.6 Since [WF](#) was heard there continue to be areas with significant Christian populations including the states of Kerala, Tamil Nadu, and Goa as well as majority Christian populations in Nagaland (90%), Mizoram (87%), and Meghalaya (70%) where there is increased tolerance of Christian belief. There are not, therefore, very strong grounds supported by cogent evidence to justify a departure from [WF](#) (see [Demography](#) and [Geography](#)).

5.1.7 The law provides for freedom of movement and grants citizens the right to

reside and settle in any part of the territory of India, which is generally respected (see [Freedom of movement](#)).

- 5.1.8 The constitution guarantees all citizens the right to education and public employment and each Indian state is required to provide free universal access to health services. Social support exists at national and state levels and welfare payments are available through the Aadhaar card, held by most Indians. NGOs exist at national, regional state and local levels to support the general population and vulnerable groups by filling gaps in the government's welfare systems, in health care and education. Religious minorities, SCs and STs can face discrimination, however, they are generally able to access public services (see India: Background Note (available on request) and [India: Medical and healthcare provision](#)).
- 5.1.9 For further guidance on considering internal relocation and factors to be taken into account see the Asylum Instruction on [Assessing Credibility and Refugee Status](#).

See also the Country Policy and Information Note, [India: Internal relocation](#).

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## 6. Certification

- 6.1.1 Where a claim is refused, it must be considered for certification under section 94 of the Nationality, Immigration and Asylum Act 2002 as India is listed as a designated state. It is likely to be certifiable as 'clearly unfounded'.
- 6.1.2 For further guidance on certification, see [Certification of Protection and Human Rights claims under section 94 of the Nationality, Immigration and Asylum Act 2002 \(clearly unfounded claims\)](#).

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# Country information

## About the country information

This contains publicly available or disclosable country of origin information (COI) which has been gathered, collated and analysed in line with the [research methodology](#). It provides the evidence base for the assessment.

Multiple sourcing is used to ensure that the information is accurate and balanced, and to provide a range of views and opinions which are compared where possible, so that a comprehensive and up-to-date picture at the time of publication is provided of the issues relevant to this note.

The inclusion of a source, however, is not an endorsement of it or any view(s) expressed.

The structure and content of this section follow a [terms of reference](#) which sets out the general and specific topics relevant to the scope of this note.

Decision makers must use relevant COI as the evidential basis for decisions.

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Section updated: 30 January 2024

## 7. Religious demography and geography

### 7.1 Demography

7.1.1 The Australian Department of Foreign Affairs and Trade (DFAT) Country Information Report on India, based on a variety of sources, published 29 September 2023 (DFAT Country Report 2023) noted that:

‘According to 2011 census data (the most recent available), almost 80 per cent (more than 1 billion people) of the population of India is Hindu. Another 14.2 per cent of people are Muslims (just under 200 million), 2.3 per cent are Christians (around 27 million), 1.7 per cent are Sikhs (just under 21 million) and less than 1 per cent are Buddhists (just under 10 million). A further 1.3 per cent (around 18 million) follow other religions including Jain, Zoroastrian, Jewish and Baha’i faiths, and tribal religions. Muslims, Sikhs, Christians, Buddhists, Jain and Zoroastrians (Parsis) have been notified as minority communities under Section 2 (c) of the National Commission for Minorities Act, 1992.’<sup>1</sup>

7.1.2 The US State Department, 2022 Report on International Religious Freedom: India (USSD IRF Report 2022), 15 May 2023, noted:

Slightly more than 85 percent of Muslims are Sunni, with the remainder mostly Shia. According to media reports during the year, there are an estimated 150,000 Ahmadi Muslims in the country. ... According to the Office of the United Nations High Commissioner for Refugees (UNHCR) and media reports, there are approximately 100,000 Tibetan Buddhists in the country. According to media reports, approximately 40,000 Muslim Rohingya refugees from Burma live in the country.’<sup>2</sup>

<sup>1</sup> DFAT, ‘[DFAT Country Information Report India](#)’ (paragraph 3.9), 29 September 2023

<sup>2</sup> USSD IRF, ‘[2022 Report on International Religious Freedom: India](#)’ (section I), 15 May 2023

### 7.1.3 DFAT further noted:

'Indian Muslims are mostly Sunni, however are otherwise not a homogenous group across the country. ... The largest Christian denominations today are Catholic (Roman Catholic, Syro-Malabar Catholic and Syro-Malankara Catholic), Orthodox Christian (notably the Malankara Orthodox Syrian Church) and various Protestant denominations (notably those in the Anglican and Pentecostal traditions). ... Buddhists are a small minority in India; India is the birthplace of Buddhism and Buddhism has had a significant impact on the country's history and culture.'<sup>3</sup>

7.1.4 Pew Research Center, a research institution focusing on global social issues, public policy, and national culture, noted in their findings of a survey of religion across India, based on nearly 30,000 face-to-face interviews of adults conducted in 17 languages between late 2019 and early 2020: 'Nationally, the vast majority of former Hindus who are now Christian belong to Scheduled Castes (48%), Scheduled Tribes (14%) or Other Backward Classes (26%).'<sup>4</sup>

7.1.5 According to the India 2011 census there are approximately 200 million Scheduled Castes<sup>5</sup> and 100 million Scheduled Tribes<sup>6</sup> in India.

(See [Scheduled Castes and Tribes](#))

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## 7.2 Geography

7.2.1 For a religious map of India taken from the 2011 census and published in an article dated July 2019 by Le Monde diplomatique<sup>7</sup>, an independent international paper see [here](#).

7.2.2 The USSD IRF Report 2022, noted:

'According to government estimates, there are significant Muslim populations in the states of Uttar Pradesh, Bihar, Maharashtra, West Bengal, Telangana, Karnataka, Kerala, Assam, and the Union Territories of Lakshadweep and Jammu and Kashmir [J&K]. In Lakshadweep and Jammu and Kashmir, Muslims account for 95 percent and 68.3 percent of the population, respectively...

'According to government estimates, Christian populations are distributed throughout the country but in greater concentrations in the northeast as well as in the states of Kerala, Tamil Nadu, and Goa. Three northeastern states have majority Christian populations: Nagaland (90 percent), Mizoram (87 percent), and Meghalaya (70 percent).

'Sikhs constitute 54 percent of the population of Punjab. The Dalai Lama's office states there are significant resettled Tibetan Buddhist communities in Himachal Pradesh, Karnataka, and Uttarakhand States, and Delhi.'<sup>8</sup>

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<sup>3</sup> DFAT, '[DFAT Country Information Report India](#)' (paragraphs 3.29, 3.52, 3.64), 29 September 2023

<sup>4</sup> Sahgal, N, and others, PRC, '[Religion in India: Tolerance and ...](#)' (page 32), 29 June 2021

<sup>5</sup> India Census, '[Scheduled Caste Population in India](#)', 2011

<sup>6</sup> India Census, '[Scheduled Tribes Population in India](#)', 2011

<sup>7</sup> Le Monde diplomatique (LMD), '[A religious map of India](#)', July 2019

<sup>8</sup> USSD IRF, '[2022 Report on International Religious Freedom: India](#)' (section I), 15 May 2023

### 7.2.3 The DFAT Country Report 2023 noted that:

‘Muslims are a minority in every state and Union territory except the territories of Jammu and Kashmir and Lakshadweep. Muslims are also the largest religious group, but not a majority, in Ladakh. These Union territories have relatively small populations...

‘Christians are a small minority in India (2.3 per cent of the total population), however form a majority in three states and are a significant minority in others. Notable Christian communities exist in Andhra Pradesh, Arunachal Pradesh, Assam, Goa, Jharkhand, Kerala, Manipur, Meghalaya, Mizoram and Nagaland and Tamil Nadu. ... Many Christians in the north-east are from Scheduled Tribes (STs) and belong to various Protestant denominations. North-eastern and central Christian communities are also more likely to be from Protestant traditions because of Protestant evangelism efforts in the 19th century...

‘Jains mostly live in the west of the country, in particular Maharashtra (in particular the capital, Mumbai) but even there they are a small minority...

‘Buddhists are not a majority in any state, but form a significant minority in Sikkim and have some presence in Arunachal Pradesh and, to a lesser extent, Mizoram and Maharashtra.’<sup>9</sup>

### 7.2.4 DFAT further noted: ‘Hundreds of different scheduled tribes (“STs”, as they are often called in India, referring either to the tribes or their members) were counted in the 2011 census ... in various states. ... Although different groups live throughout India, there are significant numbers in the north-eastern states and central parts of the country.’<sup>10</sup>

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Section updated: 18 March 2024

## 8. Legal context

### 8.1 Constitution

8.1.1 India is a secular state and the [Constitution of India](#) provides for the freedom to profess, practice and propagate religion<sup>11</sup>.

8.1.2 The constitution outlines the following Articles concerning religious freedom:

- ‘[Article] 26. Freedom to manage religious affairs.—Subject to public order, morality and health, every religious denomination or any section thereof shall have the right— (a) to establish and maintain institutions for religious and charitable purposes; (b) to manage its own affairs in matters of religion; (c) to own and acquire movable and immovable property; and (d) to administer such property in accordance with law.’
- ‘[Article] 27. Freedom as to payment of taxes for promotion of any particular religion.—No person shall be compelled to pay any taxes, the proceeds of which are specifically appropriated in payment of expenses for the promotion or maintenance of any particular religion or religious

<sup>9</sup> DFAT, ‘[DFAT Country Information ...](#)’ (paragraphs 3.31, 3.51, 3.67, 3.64), 29 September 2023

<sup>10</sup> DFAT, ‘[DFAT Country Information Report India](#)’ (paragraphs 3.4), 29 September 2023

<sup>11</sup> GoI-MoLJ, ‘[Constitution of India As on May 2022](#)’ (Article 25, page 14)

denomination.’

- ‘[Article] 28. Freedom as to attendance at religious instruction or religious worship in certain educational institutions.—(1) No religious instruction shall be provided in any educational institution wholly maintained out of State funds...
- ‘[Article 28](3). No person attending any educational institution recognised by the State or receiving aid out of State funds shall be required to take part in any religious instruction that may be imparted in such institution or to attend any religious worship that may be conducted in such institution or in any premises attached thereto unless such person or, if such person is a minor, his guardian has given his consent thereto.’<sup>12</sup>

#### 8.1.3 The USSD IRF Report 2022 noted:

‘The constitution mandates a secular state and provides for freedom of conscience and the right of all individuals to profess, practice, and propagate religion freely, subject to considerations of public order, morality, and health. It prohibits government discrimination based on religion, including for employment, as well as religiously based restrictions on access to public or private establishments. The constitution states that religious groups have the right to establish and maintain institutions for religious and charitable purposes, manage their own affairs in religious matters, and own, acquire, and administer property. It prohibits the use of public funds to support any religion. ... The constitution stipulates that the state shall endeavor to create a uniform civil code applicable to members of all religions across the country.’<sup>13</sup>

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## 8.2 Personal status laws

#### 8.2.1 The USSD IRF Report 2022 noted:

‘Personal status laws establish civil codes for members of certain religious communities in matters of marriage, divorce, adoption, and inheritance based on religion, faith, and culture. Hindu, Christian, Parsi, Jewish, and Islamic personal-status laws are legally recognized and judicially enforceable. Personal-status issues that are not defined for a community in a separate law are covered under Hindu personal status laws. These laws, however, do not supersede national and state legislation or constitutional provisions. The government grants autonomy to the All India Muslim Personal Law Board and the Parsi community to define their customary practices. If law boards or community leaders are not able to resolve disputes, cases are referred to the civil courts.’<sup>14</sup>

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## 8.3 Citizenship Amendment Act (CAA)

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<sup>12</sup> GoI-MoLJ, ‘[Constitution of India As on May 2022](#)’ (Articles 26-28, pages 14-15)

<sup>13</sup> USSD IRF, ‘[2022 Report on International Religious Freedom: India](#)’ (section II), 15 May 2023

<sup>14</sup> USSD IRF, ‘[2022 Report on International Religious Freedom: India](#)’ (section II), 15 May 2023

8.3.1 The Citizenship Amendment Act (CAA) came into law in December 2019<sup>15</sup>  
16.

8.3.2 Human Rights Watch (HRW), reporting in April 2020 about the Citizenship Amendment Act (CAA), noted:

‘The Hindu nationalist Bharatiya Janata Party (BJP)-led government in December 2019 adopted the Citizenship Amendment Act, which for the first time makes religion a basis for citizenship. ...The act, together with a planned nationwide verification process to identify “illegal migrants,” can threaten the citizenship rights of millions of Indian Muslims...

‘The new amended citizenship law fast-tracks asylum claims of irregular immigrants from the neighboring Muslim-majority countries of Afghanistan, Bangladesh, and Pakistan, but excludes Muslims. It was enacted amid the BJP government’s push for a nationwide citizenship verification process, through a National Population Register (NPR) and a National Register of Citizens (NRC), aimed at screening out “illegal migrants.” ...statements from the home minister and other BJP leaders have raised fears that millions of Indian Muslims, including many whose families have lived in the country for generations, could be stripped of their citizenship rights and disenfranchised. ... ‘The United Nations and a number of governments have publicly criticized the citizenship law as discriminatory on the basis of religion.’<sup>17</sup>

8.3.3 Bertelsmann Stiftung’s, BTI 2022 Country Report – India, noted:

‘While the law was brought in with the stated objective of providing protection to those fleeing to India to escape religious prosecution, by excluding Muslims, the law for the first time made religion a criterion for Indian citizenship. In combination with the introduction of the planned National Register for Citizens (NRC), the new law has the potential to strip many Muslims of their Indian citizenship if they are unable to prove that they are legal citizens of India.’<sup>18</sup>

8.3.4 In March 2024 India's government announced its plans to enact the CAA law. The BBC reported:

‘The law was passed in 2019 - sparking mass protests in which scores of people died and many more were arrested. Rules for it were not drawn up in the wake of the unrest but have now been, according to the country's home affairs minister Amit Shah. He made the announcement on Monday [11 March], writing on social media that Prime Minister Narendra Modi had "delivered on another commitment and realised the promise of the makers of our constitution to the Hindus, Sikhs, Buddhists, Jains, Parsis and Christians living in those countries".

‘India's home ministry in a statement said that those eligible can now apply online for Indian citizenship. An online portal for receiving applications has already been set up. ... Under the new law, those seeking citizenship will have to prove that they arrived in India from Pakistan, Bangladesh or

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<sup>15</sup> USCIRF, ‘[The Citizenship \(Amendment\) Act in India](#)’ (page 1), February 2020

<sup>16</sup> CRS, ‘[Changes to India’s Citizenship Laws](#)’ (page 1), 1 December 2022

<sup>17</sup> HRW, ‘[India: Protests, Attacks Over New Citizenship Law](#)’, 9 April 2020

<sup>18</sup> BTI, ‘[BTI 2022 Country Report – India](#)’ (page 3), 24 February 2022

Afghanistan by 31 December 2014.<sup>19</sup>

- 8.3.5 For more information on the CAA and resulting protests during 2019 and 2020, see the archived CPIN via [Ecoi.net](https://www.ecoi.net).

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## 8.4 Penal Code

- 8.4.1 The [Indian Penal Code of 1860](#) (IPC) outlined the following articles regarding offences related to religion:

[Article] 295. Injuring or defiling place of worship, with intent to insult the religion of any class... shall be punished with imprisonment of either description for a term which may extend to two years, or with fine, or with both.

[Article] 295A. Deliberate and malicious acts, intended to outrage religious feelings of any class by insulting its religion or religious beliefs... shall be punished with imprisonment of either description for a term which may extend to [three years], or with fine, or with both.

[Article] 296. Disturbing religious assembly... shall be punished with imprisonment of either description for a term which may extend to one year, or with fine, or with both.

[Article] 297. Trespassing on burial places, etc... shall be punished with imprisonment of either description for a term which may extend to one year, or with fine, or with both.

[Article] 298. Uttering words, etc., with deliberate intent to wound religious feelings... shall be punished with imprisonment of either description for a term which may extend to one year, or with fine, or with both.<sup>20</sup>

- 8.4.2 The IPC also outlined, with regard to religion and public tranquillity:

[Article] 153A. Promoting enmity between different groups on ground[s] of religion, race, place of birth, residence, language, etc., and doing acts prejudicial to maintenance of harmony... shall be punished with imprisonment which may extend to five years and shall also be liable to fine...

[Article] 153B. Imputations, assertions prejudicial to national integration... shall be punished with imprisonment which may extend to three years, or with fine, or with both.<sup>21</sup>

- 8.4.3 The IPC also outlined that should any of the acts listed in Article 153 be committed in a place of worship or during the performance of religious worship, offenders will be punished with imprisonment of up to five years and may be liable to a fine<sup>22</sup>.

- 8.4.4 On 1 July 2024, three new criminal laws that the Indian Parliament passed in 2023 will go into force, as stated in a notification issued by the Ministry of Home Affairs (MHA). The Hindu reported: 'The Bharatiya Nyaya Sanhita,

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<sup>19</sup> BBC, '[CAA: India to enforce migrant law that excludes Muslims](#)', 12 March 2024

<sup>20</sup> Gol, '[Indian Penal Code](#)' (page 69)

<sup>21</sup> Gol, '[Indian Penal Code](#)' (pages 41 & 42)

<sup>22</sup> Gol, '[Indian Penal Code](#)' (page 69)

Bharatiya Nagrik Suraksha Sanhita and the Bharatiya Sakshya Adhiniyam that will replace the Indian Penal Code, 1860; Code of Criminal Procedure, 1898; and the Indian Evidence Act, 1872, respectively, received President Droupadi Murmu's assent on December 25, 2023.<sup>23</sup>

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## 8.5 Other legal requirements

8.5.1 In terms of registration of religious groups, the USSD IRF Report 2022 stated that: 'The law requires religious groups that receive foreign funding to register with the Ministry of Home Affairs. Federal law requires ... religious organizations, that are registered under the law to maintain audit reports on their accounts and a schedule of their activities and to provide these to state government officials upon request.'<sup>24</sup>

8.5.2 In considering marriage rights, the USSD IRF Report 2022 noted: 'The law recognizes the registration of Sikh marriages but does not include divorce provisions for Sikhs. Divorce and other Sikh personal status matters fall under Hindu codes. Under the law, any person, irrespective of religion, may seek a divorce in civil court.'<sup>25</sup> (See [Interfaith marriages](#))

8.5.3 The USSD IRF Report 2022, also noted:

'The constitution prohibits religious instruction in government schools. The law permits private religious schools. The law permits some Muslim, Christian, Sindhi (Hindu refugees), Parsi, and Sikh educational institutions that receive government support to set quotas for students belonging to the religious minority in question. For example, Aligarh Muslim University must admit at least 50 percent Muslims. St. Stephen's College in Delhi and St. Xavier's in Mumbai must admit at least 50 percent Christians.'<sup>26</sup>

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## 8.6 Conversion and 'forced' conversion

8.6.1 International Christian Concern, a U.S. based non-governmental, Christian organisation, focusing on the human rights of Christians and religious minorities, in their report - India's Anti-Conversion Laws and Their Effects on the Christian Community, July 2021, opined:

'A way India's Christians have seen their religious freedom rights curtailed has been the proliferation and abuse of anti-conversion laws. Officially called Freedom of Religion Acts, anti-conversion laws have been enacted in nine of India's 29 states.

'According to these laws, religious conversions must be regulated by the state government. Individuals seeking to change their religion must have their conversion approved by the state after an investigation and waiting period. Fraudulent conversions, often labeled forced conversions, are criminalized.'<sup>27</sup>

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<sup>23</sup> The Hindu, '[Three criminal laws to be effective from July 1](#)', 24 February 2024

<sup>24</sup> USSD IRF, '[2022 Report on International Religious Freedom: India](#)' (section II), 15 May 2023

<sup>25</sup> USSD IRF, '[2022 Report on International Religious Freedom: India](#)' (section II), 15 May 2023

<sup>26</sup> USSD IRF, '[2022 Report on International Religious Freedom: India](#)' (section II), 15 May 2023

<sup>27</sup> ICC, '[India's Anti-Conversion Laws and Their Effects on the Christian ...](#)' (page 4), July 2021

### 8.6.2 USSD IRF Report 2022 noted:

‘Thirteen of the country’s 28 states – Assam, Arunachal Pradesh, Chhattisgarh, Gujarat, Haryana (as of March), Himachal Pradesh, Karnataka (as of September), Jharkhand, Madhya Pradesh, Odisha, Rajasthan, Uttarakhand, and Uttar Pradesh – have laws restricting religious conversion. Although none of these laws mentions particular faiths, in practice they are carried out more often against non-Hindus.

‘All 13 states that have anticonversion laws maintain broadly similar prohibitions against conversion through “force,” “inducement,” or “fraud,” which would include the provision of any gifts, promises of a better life, free education, and other standard charitable activities, and bar individuals from abetting such conversions. The law in those states also require individuals wishing to convert to another religion and clergy intending to officiate at a conversion ceremony to submit formal notification to the state government. The notification procedures require state police to determine if there are objections to the conversion. Any person may object.

‘State governments in Gujarat, Haryana, Himachal Pradesh, Madhya Pradesh, Uttarakhand and Uttar Pradesh have laws specifically imposing penalties against “forced” religious conversions for the purpose of marriage, although historically, some state high courts have dismissed cases brought under this law. Gujarat imposes sentences of between three and 10 years in prison and fines of up to 50,000 rupees (\$600) [£500<sup>28</sup>] for forcible or fraudulent religious conversions through marriage.

‘Violators of anticonversion laws, including missionaries, are subject to fines and other penalties, such as prison sentences of up to three years in Chhattisgarh and up to four years in Madhya Pradesh if converts are children, women, or members of Scheduled Castes or Scheduled Tribes. Gujarat mandates prior permission from the district magistrate for any form of conversion and punishes “forced” conversions with up to three years of imprisonment and a fine of up to 50,000 rupees (\$600) [£500<sup>29</sup>]. In Himachal Pradesh, penalties include up to two years’ imprisonment, fines of 25,000 rupees (\$300) [£250<sup>30</sup>], or both.’<sup>31</sup>

### 8.6.3 Al Jazeera reported on 25 November 2020 that:

‘India’s governing Hindu nationalist party has approved legislation in the country’s most populous state that lays out a prison term of up to 10 years for anyone found guilty of using marriage to force someone to change religion. The decree for the state of Uttar Pradesh was passed on Tuesday and follows a campaign by Prime Minister Narendra Modi’s Bharatiya Janata Party (BJP) against interfaith marriages. The party describes such marriages as “love jihad”, an unproven conspiracy theory used by its leaders and Hindu far-right groups to accuse Muslim men of converting Hindu women by marriage. Under the decree – which will become a law after its approval by the state’s governor, a formality – a couple belonging to two different

<sup>28</sup> Xe.com, ‘[50,000 INR to GBP - Convert Indian Rupees to British Pounds](#)’, 24 January 2024

<sup>29</sup> Xe.com, ‘[50,000 INR to GBP - Convert Indian Rupees to British Pounds](#)’, 24 January 2024

<sup>30</sup> Xe.com, ‘[25,000 INR to GBP - Convert Indian Rupees to British Pounds](#)’, 24 January 2024

<sup>31</sup> USSD IRF, ‘[2022 Report on International Religious Freedom: India](#)’ (section II), 15 May 2023



religions will have to give two months' notice to a district magistrate before getting married.'<sup>32</sup>

8.6.4 On 8 March 2021, The New Indian Express reported:

'The Madhya Pradesh Assembly on Monday passed the "anti-Love Jihad" Freedom of Religion Bill, 2021. The Bill had been approved earlier in December 2020. ... After BJP-ruled Uttar Pradesh and Uttarakhand, Madhya Pradesh becomes the third state to pass the law.

'The passed legislation has the provision of up to 10 years in jail and a fine of up to Rs 1 lakh [£1,000<sup>33</sup>] as punishment for religious conversion through coercion, force, allurements and fraudulent means and misrepresentation, including marriages solemnized through fraudulent means. The state's home minister Narottam Mishra, while replying to the debate before passing of the Bill by voice vote informed that a total of 23 cases were lodged under the law which was first cleared as an Ordinance in January 2021.'<sup>34</sup>

8.6.5 Voice of America (VoA), reported in March 2023:

'Leaders of Indian minority communities say controversial anti-conversion laws enacted in some states of India are aimed at persecuting and harassing Christian and Muslim minorities, as the U.S. Commission on International Religious Freedom has expressed concerns and called for the laws' revocation.

"India's state-level anti-conversion laws violate international human rights law's protections for the right to freedom of religion or belief. They impermissibly limit and punish an individual's right to convert and right to persuade or support another individual to convert voluntarily," the commission said in a report released March 14, Issue Update: India's State-Level Anti-Conversion Laws. "The anti-conversion laws also worsen religious freedom conditions in India which, as USCIRF has reported, are already poor," the commission added.

'Hindu groups and leaders of India's ruling Hindu nationalist Bharatiya Janata Party allege that Christian missionaries are converting people across India through allurements, use of force and fraudulent means. In recent years, they have also claimed that Muslims were converting people to Islam through unfair means...

'Chander Uday Singh, a senior counsel at India's Supreme Court, said "there is no doubt whatsoever" that India's anti-conversion laws are "intended to marginalize and persecute Muslims and Christians" and that the so-called issue of "love jihad" was a "vicious product of hate-spewing imaginations."

"Love jihad is a myth, a pernicious lie that has been repeated thousands of times in spite of being proved to be nonexistent. ... Several state and national investigating agencies have closed their inquiries into the related cases on finding that there is no such thing as love jihad," Singh told VOA.'<sup>35</sup>

8.6.6 Open Doors, a non-denominational mission supporting Christians around the

<sup>32</sup> Al Jazeera, '[Indian state criminalises religious conversions by marriage](#)', 25 November 2020

<sup>33</sup> Xe.com, '[100,000 INR to GBP - Convert Indian Rupees to British Pounds](#)', 24 January 2024

<sup>34</sup> The New Indian Express, '[Madhya Pradesh Freedom of Religion Bill, 2021 ...](#)', 8 March 2021

<sup>35</sup> VoA, '[US Religious Freedom Commission Seeks Repeal of India's ...](#)', 23 March 2023

world, in its World Watch List 2024 – India, reported:

‘More and more states are also implementing anti-conversion laws. These purport to prevent forced conversion away from Hinduism but, in reality, create an environment where any Christian who shares their faith can be accused of a crime, intimidated or assaulted. There is no equivalent law about coerced conversion to Hinduism, and there are mass “homecoming” campaigns in which Hindu nationalists put tremendous pressure on Christian converts from Hinduism, telling them to return to their previous faith.’<sup>36</sup>

(See [Interfaith marriages](#) and Societal treatment of religious minorities – [Christians](#))

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Section updated: 14 March 2024

## 9. Political and civic rights

9.1.1 On 6 July 2022, Al Jazeera reported:

‘The resignation of a federal minister has left India’s ruling party with no Muslim parliamentarian for the first time in its history. Minorities Affairs Minister Mukhtar Abbas Naqvi resigned on Wednesday, a day before his term as a member of parliament (MP) was scheduled to end. The 64-year-old politician was the only Muslim minister in Prime Minister Narendra Modi’s Hindu nationalist Bharatiya Janata Party (BJP) that boasts of nearly 400 MPs. Naqvi’s exit comes as the BJP faces [allegations of persecuting](#) the minority community since coming to power in 2014.’<sup>37</sup>

9.1.2 Minority Rights Group International (MRGI) noted that ‘Relatively few Sikhs are represented within the higher echelons of the government and the civil service.’<sup>38</sup> However, as reported by the Britannica Group, a multimedia education brand, ‘Shiromani Akali Dal (SAD)... principal advocacy organization of the large Sikh community in the state and is centred on the philosophy of promoting the well-being of the country’s Sikh population by providing them with a political as well as a religious platform. The party also has a presence on the national political scene in New Delhi.’<sup>39</sup>

9.1.3 Encyclopaedia Britannica reported in October 2023 on the first person from the tribal community to hold the office of president: ‘Droupadi Murmu became the 15th president of India on July 25, 2022, when she was sworn in by the chief justice of the country’s Supreme Court. She is the first person from the tribal community, and the second woman after Pratibha Patil, to hold the office of president. She is also the first president to have been born in independent India as well as the youngest person to occupy the post.’<sup>40</sup>

9.1.4 The DFAT Country Report 2023, noted in regard to the representation of Dalits in the political sphere: ‘The government offers affirmative action programs to assist in social mobility for Dalits. This includes reserved seats in parliament, in government jobs and higher education. Some Dalits have

<sup>36</sup> Open Doors, ‘[World Watch List 2024 – India](#)’, no date

<sup>37</sup> Al Jazeera, ‘[India ruling party has no Muslim MP for the first time in history](#)’, 6 July 2022

<sup>38</sup> MRGI, ‘[India – Sikhs](#)’, 2023

<sup>39</sup> D’Souza, S. M, Encyclopaedia Britannica, ‘[Shiromani Akali Dal information page](#)’, 28 October 2023

<sup>40</sup> Raikar, S.P, Encyclopaedia Britannica, ‘[Droupadi Murmu](#)’, 7 November 2023

achieved high office, in part with the assistance of these programs. These long-running examples of affirmative action, however, have not solved the deep social inequities that most Dalits continue to face.’<sup>41</sup>

- 9.1.5 In February 2024, the Council on Foreign Relations (CFR), an independent American think-tank specialising in U.S. foreign policy and international relations, noted ‘Over the last two decades, the representation of Muslims in parliament [has stagnated](#): after the 2019 elections, Muslims held just 5 percent of seats. That’s partly due to the rise of the BJP, which by mid-2022 had no Muslim members of its party in parliament.’<sup>42</sup>

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Section updated: 18 March 2024

## 10. Interfaith marriages

### 10.1 Legislation

- 10.1.1 The DFAT Country Report 2023 noted that: Interfaith and inter-caste marriages are legal and occur occasionally.’<sup>43</sup>

- 10.1.2 In considering marriage rights, the USSD IRF Report 2022 noted:

‘All couples marrying in a civil ceremony, which often includes interfaith couples, are generally required to provide public notice 30 days in advance – including addresses, photographs, and religious affiliation – for public comment, although this requirement varies by state. Hindus, Muslims, Buddhists, Sikhs, or Jains who marry outside their religions face the possibility of losing their property inheritance rights under the personal status laws of those communities.’<sup>44</sup>

- 10.1.3 A Human Rights Watch article of February 2021 noted: ‘In November [2020], India’s Uttar Pradesh state government passed a law aimed at curbing interfaith relationships. ... The law, [Prohibition of Unlawful Religious Conversion Ordinance](#), requires anyone wishing to convert to seek approval from the district authorities and carries a punishment of up to 10 years in prison for converting another person through coercion, fraud, misrepresentation, or inducement. While this law ostensibly applies to all forced religious conversions, enforcement has largely targeted Muslim men in Hindu-Muslim relationships.’<sup>45</sup>

- 10.1.4 The USCIRF, Country Update on Religious Freedom Conditions in India, November 2022, noted:

‘Anti-conversion laws are increasingly targeting interfaith marriages or interfaith couples. Under the [Special Marriage Act](#), interfaith marriages require a 30-day notice period essentially allowing the opportunity for individuals to object to the solemnization of the marriage. In some states, such as [Uttar Pradesh] [UP](#) and [Madhya Pradesh] [MP](#), there is a 60-day notice requirement. In practice, anti-conversion laws targeting interfaith

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<sup>41</sup> DFAT, ‘[DFAT Country Information Report India](#)’ (paragraph 3.148), 29 September 2023

<sup>42</sup> CFR, ‘[India’s Muslims: An Increasingly Marginalized Population](#)’, 28 February 2024

<sup>43</sup> DFAT, ‘[DFAT Country Information Report India](#)’ (paragraph 3.136), 29 September 2023

<sup>44</sup> USSD IRF, ‘[2022 Report on International Religious Freedom: India](#)’ (section II), 15 May 2023

<sup>45</sup> HRW, ‘[India: Government Policies, Actions Target Minorities](#)’, 19 February 2021

marriage restrain an individual's constitutional right to convert and curtail the right to choose one's partner [see [Conversion and 'forced' conversion](#)].<sup>46</sup>

- 10.1.5 Deutsche Welle (DW), a German public, state-owned international broadcaster, reported on 11 January 2023:

'At least eight states, including six governed by the ruling [Hindu nationalist Bharatiya Janata Party \(BJP\)](#), have passed anti-conversion laws that ban religious conversion solely for the purpose of marriage. Last month, in the western state of Maharashtra, the government formed a 13-member panel to investigate interfaith marriages in the state and maintain a record of couples and their families...

'According to the Indian Constitution, citizens have the freedom to "profess, practice and propagate" religion. The word "propagate" also includes the citizen's right to convert. Last week, the Supreme Court began hearing two public interest litigations challenging anti-conversion laws passed in several states that seek to prohibit religious conversion by marriage and make it mandatory to give notice of conversion to the state authorities.'<sup>47</sup>

- 10.1.6 The Diplomat, an international online news magazine covering politics, society, and culture in the Asia-Pacific region, reported on 30 June 2023:

'The anti-conversion laws have also made marriages between individuals of different faiths more difficult. The legislation is used to identify and monitor those who would wish to engage in inter-faith marriages, with the police and local vigilante groups of the right-wing interfering in personal matters between consenting individuals, sometimes with the threat of violence. The cases that are filed under sections of the anti-conversion laws are often coupled with criminal charges of kidnapping, abduction, or inducing women to compel marriage.'<sup>48</sup>

(See [Other legal requirements](#))

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## 10.2 Treatment of inter-faith and inter-caste married couples

- 10.2.1 According to The Diplomat, reporting in November 2020, '... interfaith marriages themselves are fairly common in India. There are many high profile examples in fields such as the arts, sports, journalism, and business where Muslim men have tied the knot with Hindu women. Senior BJP leader Shahnawaz Hussain's spouse Renu is Hindu. Many Bollywood stars – including Shah Rukh Khan, Aamir Khan, Saif Ali Khan, and Sohail Khan – have married Hindu women.'<sup>49</sup>

- 10.2.2 A Human Rights Watch article of February 2021, reporting on the law passed by Uttar Pradesh aimed at curbing interfaith relationships, noted:

'While this law ostensibly applies to all forced religious conversions, enforcement has largely targeted Muslim men in Hindu-Muslim relationships.

'Since the law came into effect, Uttar Pradesh authorities have filed cases

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<sup>46</sup> USCIRF, '[Country Update on Religious Freedom Conditions in India](#)' (page 4), November 2022

<sup>47</sup> DW, '[Why interfaith marriage in India is getting dangerous](#)', 11 January 2023

<sup>48</sup> The Diplomat, '[The Political Ideology Behind Anti-Conversion Laws in India](#)', 30 June 2023

<sup>49</sup> The Diplomat, '[Push to Legislate Interfaith Marriages Sparks Backlash in India](#)', 16 November 2020

against 86 people, [79 of whom are Muslim](#), accusing them of “enticing a woman” and forcing her to convert to Islam. Seven others are accused of coercing women to convert them to Christianity. The government has even unlawfully used the law [retroactively](#), and sometimes even brought cases against [families of the accused](#) Muslim men. In most cases, the complainant is not the woman but [her relatives](#), who oppose an interfaith relationship.<sup>50</sup>

10.2.3 The Pew Research Center, findings of a survey conducted between late 2019 and early 2020 noted:

‘Overall, 64% of Indians say it is very important to stop women in their community from marrying into other castes, and about the same share (62%) say it is very important to stop men in their community from marrying into other castes. These figures vary only modestly across members of different castes. For example, nearly identical shares of Dalits and members of General Category castes say stopping inter-caste marriages is very important.

‘Majorities of Hindus, Muslims, Sikhs and Jains consider stopping inter-caste marriage of both men and women a high priority. By comparison, fewer Buddhists and Christians say it is very important to stop such marriages – although for majorities of both groups, stopping people from marrying outside their caste is at least “somewhat” important.

‘People surveyed in India’s South and Northeast see greater caste discrimination in their communities, and they also raise fewer objections to inter-caste marriages than do Indians overall.’<sup>51</sup>

10.2.4 Deutsche Welle (DW), in its article of 11 January 2023, noted:

‘Asif Iqbal, co-founder of [Non-Governmental Organisation] NGO "Dhanak of Humanity," a platform to extend help for interfaith couples, told DW that many couples live in fear of their relationships becoming a criminal offense under the current attempts at legal reforms. "Prevailing legal and social situations have effectively decreased the number of interfaith marriages," Iqbal said. "Interfaith marriage has always been challenging in India, but the discrimination and threats of violence now make the struggle to assist such couples more difficult than ever," he added.

‘In the last decade, the NGO has helped over 5,000 couples of different faiths, castes and communities come together. However, Iqbal said there has been a sharp decrease in the number of couples coming to seek help. "Couples have to leave their state to get married in some other state where religious marriage is not a crime," he said. "Moreover, the police and the judiciary in many states are not ready to help couples and sometime don't offer protection," he added.’<sup>52</sup>

10.2.5 The DFAT Country Report 2023 noted that:

‘... [M]any Indian families still prefer marriages arranged within their own religion and caste. Most marriages in India are arranged marriages and the family of the prospective marriage partner will choose a spouse based on

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<sup>50</sup> HRW, ‘[India: Government Policies, Actions Target Minorities](#)’, 19 February 2021

<sup>51</sup> Sahgal, N, and others, PRC, ‘[Religion in India: Tolerance and ...](#)’ (page 29), 29 June 2021

<sup>52</sup> DW, ‘[Why interfaith marriage in India is getting dangerous](#)’, 11 January 2023

faith and caste considerations. A marriage outside this system is known as a “love marriage”. Those who choose to marry outside their religion or caste may experience shunning or violence from their families, but the outcome depends on the family and there is not a typical pattern of reactions. An inter-caste or interfaith marriage will not necessarily lead to violence, but it can.

‘Most people get married under the personal status laws of their religion – that is, the marriage legislation for Hindus (which also covers Sikhs, Jains and Buddhists), Muslims or Christians, respectively. These laws may prevent interfaith marriage. However, the Special Marriage Act 1954 is the secular marriage law available to any Indian that enables marriage without reference to any faith.’<sup>53</sup>

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Section updated: 14 March 2024

## 11. Cow slaughter

### 11.1 Anti-cow slaughter legislation

11.1.1 Article 48 of the [Constitution of India](#) prohibits cow slaughter<sup>54</sup>.

11.1.2 The USCIRF, Country Update on Religious Freedom Conditions in India, November 2022, noted:

‘In Hinduism, the cow is considered sacred. Article 48 of India’s constitution directs the state to “take steps ... prohibiting the slaughter of cows and calves.” Twenty of the country’s 28 states criminalize cow slaughter in various forms through meat policies banning the import/ export and sale of cattle. These laws are often applied against religious minorities, including Christian, [Muslim](#), [Dalit](#), and other indigenous communities whose religious beliefs do not prohibit the eating of beef.’<sup>55</sup>

11.1.3 The USSD IRF Report 2022, noted:

‘Twenty-five of the 28 states apply partial to full restrictions on bovine slaughter. Penalties vary among states and may vary based on whether the animal is a cow, calf, bull, or ox. The ban mostly affects Muslims and members of Scheduled Castes and Scheduled Tribes that traditionally consume beef. In most of the states where bovine slaughter is banned, penalties include imprisonment for six months to two years and a fine of 1,000 to 10,000 rupees (\$12-\$121) [£10<sup>56</sup> - £100<sup>57</sup>].<sup>58</sup> (For the differing penalties between states see section II of the [USSD IRF Report 2022](#)).

11.1.4 The USSD IRF Report 2022 further added:

‘The “Prevention of Mob Violence and Mob Lynching Bill,” passed by the Jharkhand Legislative Assembly in December 2021 with the stated aim of reducing lynching and violence related to allegations of cow slaughter in the

<sup>53</sup> DFAT, ‘[DFAT Country Information Report India](#)’ (paragraphs 3.137, 3.137), 29 September 2023

<sup>54</sup> GoI-MoLJ, ‘[Constitution of India As on May 2022](#)’ (Article 48, page 23)

<sup>55</sup> USCIRF, ‘[Country Update on Religious Freedom Conditions in India](#)’ (page 4), November 2022

<sup>56</sup> Xe.com, ‘[1,000 INR to GBP - Convert Indian Rupees to British Pounds](#)’, 24 January 2024

<sup>57</sup> Xe.com, ‘[10,000 INR to GBP - Convert Indian Rupees to British Pounds](#)’, 24 January 2024

<sup>58</sup> USSD IRF, ‘[2022 Report on International Religious Freedom: India](#)’ (section II), 15 May 2023

state, did not come into effect during the year. Rather, the state governor returned the bill to the legislature in March, seeking clarifications from the state government on definition of a “mob” and asking the bill to be “in consonance with the well-defined legal lexicon.”

‘The Jharkhand bill, intended to maintain “peace, communal harmony, and brotherhood” in the state, would, if enacted, become the fourth such law after those in Manipur, Rajasthan, and West Bengal.’<sup>59</sup>

- 11.1.5 In January 2022 the Times of India reported: ‘The merged Union territory of [Dadra and Nagar Haveli](#) and [Daman and Diu](#) will now have more stringent provisions in its [law against cow slaughter](#), including a ban on transportation of a cow, calf, heifer, bull, bullock and ox within the UT for the purpose of its slaughter and introduction of higher penalties – starting from 10 years in jail up to imprisonment for life and fine between Rs 1 lakh to Rs 5 lakh [£1,000<sup>60</sup> - £5,000<sup>61</sup>] – for such slaughter.’<sup>62</sup>

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## 11.2 State and societal response to cow slaughter

- 11.2.1 In February 2019 HRW reported:

‘Cow slaughter is forbidden in most parts of Hindu-majority India. However, over the last few decades, Hindu nationalists have led a political campaign complaining that the authorities do not do enough to enforce the ban and stop cattle smuggling. Since beef is consumed largely by religious and ethnic minorities, BJP leaders, in seeking to appeal to Hindu voters, have made strong statements about the need to protect cows that have enabled, and at times may have incited, communal violence.

‘Narendra Modi, when he was chief minister of Gujarat state and during the 2014 national election campaign, repeatedly called for the protection of cows, raising the specter of a “pink revolution” that he claimed had endangered cows and other cattle for meat export. After he was elected prime minister, Modi did not robustly condemn vigilante attacks by cow-protection groups until as late as August 2018, when he finally said, “I want to make it clear that mob lynching is a crime, no matter the motive.” In January 2019, he said these attacks did not “reflect well on a civilized society.” He, however, appeared to dismiss claims of growing Muslim insecurity as being politically motivated.’<sup>63</sup>

- 11.2.2 Anti-cow slaughter sentiment towards Muslims was outlined in an Immigration and Refugee Board of Canada (IRB) COI query response dated 18 June 2020, based on a range of sources, which stated:

‘According to sources, Muslims are targeted by “cow protection groups [gau rakshaks]” or “cow protection mobs”... Sources indicate that opponents to beef meat consumption have been bolstered by the discourse of the Bharatiya Janata Party (BJP) government elected at the national level in

<sup>59</sup> USSD IRF, ‘[2022 Report on International Religious Freedom: India](#)’ (section II), 15 May 2023

<sup>60</sup> Xe.com, ‘[100,000 INR to GBP - Convert Indian Rupees to British Pounds](#)’, 24 January 2024

<sup>61</sup> Xe.com, ‘[500,000 INR to GBP - Convert Indian Rupees to British Pounds](#)’, 24 January 2024

<sup>62</sup> TOI, ‘[UT makes anti-cow slaughter laws stringent](#)’, 20 January 2022

<sup>63</sup> HRW, ‘[Violent Cow Protection in India](#)’, 18 February 2019

May 2014 and by cow protection measures adopted by states. Human Rights Watch (HRW) reports that between May 2015 and December 2018, at least 44 people, including 36 Muslims, were killed in 12 Indian states in relation to beef consumption, while 280 people were injured across 20 states for the same motive. Sources also indicate that the cow protection movement is adversely impacting Muslims whose livelihood is related to the cattle trade.<sup>64</sup>

11.2.3 The same response noted that: 'In a report on the cow protection movement, HRW writes that "the alleged assailants [in cases of violence regarding cows documented by the organization] were members of local cattle protection committees affiliated with Hindu extremist groups, often with links to the ruling party". The same source adds that BJP officials have "largely failed to condemn attacks on Muslims ... Their policies and statements appear to have encouraged abuses by cow protection groups, who believe they are politically protected from being held accountable".<sup>65</sup>

11.2.4 The Armed Conflict Location & Event Data Project (ACLED) collects information on the dates, actors, locations, fatalities, and types of all reported political violence and protest events in India. Its report published in May 2021 noted in relation to political events related to cow protection between 2016 and 2020 80% of those reported were directed towards civilians and:

'The victims of these attacks are usually those working in the cattle trade and people belonging to minority groups, including Muslims, Dalits, or Adivasi communities... Those perpetrating such violence in several cases are reported to be members of Hindu nationalist groups, such as RSS, the Hindu Yuva Vahini or Bajrang Dal, and Vishwa Hindu Parishad (VHP). RSS was reported to be involved in over 20 events since 2016... The majority of the violent incidents — 92% — recorded by ACLED have taken place in states where cattle slaughter is banned, indicating that states with stringent legislation on cow slaughter are prone to cow vigilante violence'<sup>66</sup>.

11.2.5 ACLED produced the following graph illustrating cow protection related violence targeting civilians showing events by targeted group 2016 to 2020

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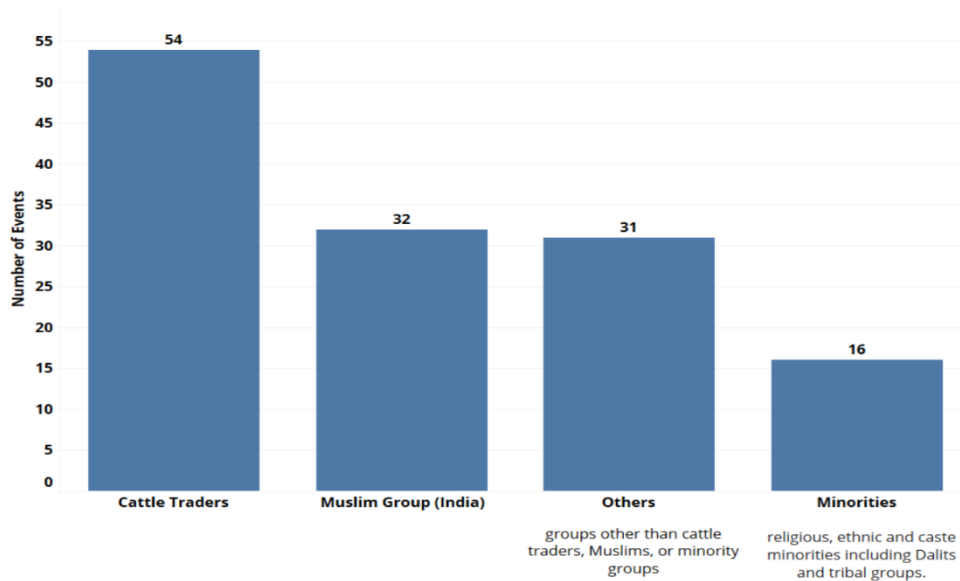
<sup>64</sup> IRB, '[India: Situation and treatment of Muslims, including in Hyderabad; ...](#)', 18 June 2020

<sup>65</sup> IRB, '[India: Situation and treatment of Muslims, including in Hyderabad; ...](#)', 18 June 2020

<sup>66</sup> ACLED, '[Cow Protection Legislation and Vigilante Violence in India](#)', 3 May 2021



Cow Protection Related Violence Targeting Civilians Events By Targeted Group (2016- 2020)



- 11.2.6 New Delhi Television (NDTV) reported in June 2021 that a driver of a truck hauling animals in Karnataka's Chikkamagaluru district became the first person to be arrested under the new law that forbids the slaughter of cows. The driver, who was charged with the "illegal transport" of cows received medical treatment at a nearby hospital after alleging that vigilantes forcibly halted and searched his vehicle and physically attacked him<sup>67</sup>. NDTV noted: 'Karnataka Law Minister JC Madhuswamy said he was not aware of either the arrest or the alleged assault. He said that the attack on the driver was "not acceptable" but also defended provisions in the law that critics said would encourage vigilante activity.'<sup>68</sup>
- 11.2.7 Outlook (India), a current affairs news magazine, reported on 4 October 2022 that five persons were detained for having 2,200 kg of beef that they were transporting illegally from Ramanagara, a town near Bengaluru, to Goa and charged with violating sections 4, 7, and 12 of the Karnataka Prevention of Slaughter and Prevention of Cattle Act-2020<sup>69</sup>.
- 11.2.8 The USCIRF, Country Update on Religious Freedom Conditions in India, November 2022, noted:
- 'In 2021 and 2022, examples of violence resulting in deaths and injuries around suspicions of cow smuggling or slaughter were reported in [Jammu and Kashmir](#), [Tripura](#), [Rajasthan](#), [Bihar](#), [Uttar Pradesh](#), and [Delhi](#). In August 2022, [Gyan Dev Ahuja](#), BJP member and past state legislator from Rajasthan state, was recorded publicly urging people "to kill anyone involved in cow slaughter," adding that "we have so far killed five people," alluding to lynchings and murders of Muslim men on allegations of cow slaughter in the area.'<sup>70</sup>

<sup>67</sup> NDTV, '[Karnataka Makes First Arrest Under Controversial Cow Slaughter Bill](#)', 13 January 2021

<sup>68</sup> NDTV, '[Karnataka Makes First Arrest Under Controversial Cow Slaughter Bill](#)', 13 January 2021

<sup>69</sup> Outlook (India), '[5 Beef Smugglers Were Arrested, And Booked Under The ...](#)', 4 October 2022

<sup>70</sup> USCIRF, '[Country Update on Religious Freedom Conditions in India](#)' (page 4), November 2022

11.2.9 In February 2023, The Times of India reported:

'Uttar Police have arrested 120 people in connection with cow smuggling cases, according to the police officials. Out of 120 accused, 110 have been arrested in preventive action and 10 accused in cow slaughter cases. Bareilly Police has arrested criminals involved in cow slaughter by running a campaign in all 29 police stations of the district, in which 110 cow slaughterers have been arrested in preventive action and 10 accused in slaughter cases," SP Rural Rajkumar Aggarwal said.'<sup>71</sup>

11.2.10 The USSD IRF Report 2022, noted: In March [2022], Jharkhand Parliamentary Affairs Minister Alamgir Alam told the legislative assembly that 51 persons accused of lynching related to cow slaughter or beef sale/consumption in that state between 2016 and 2021 had been sentenced to life in prison and fined a total of 1.99 million rupees (\$25,000) [£19,000<sup>72</sup>], paid as compensation to victims' families.'<sup>73</sup>

11.2.11 The USSD IRF Report 2022 further noted:

'Media reported that on May 2, a group of Hindus lynched two tribal men for allegedly slaughtering a cow in the Seoni district of Madhya Pradesh. A survivor said that the attackers were members of the Hindu nationalist groups Bajrang Dal and Ram Sena. Police arrested 14 persons and launched an investigation...

'On August 2 [2022], a crowd beat a Muslim man to death and injured two others in Madhya Pradesh for transporting cattle. The crowd suspected that the man was transporting cattle for slaughter, which is outlawed under Madhya Pradesh law. Madhya Pradesh police filed a complaint against 12 unidentified individuals for the attack and a separate complaint against the two survivors for illegally transporting the cattle. Police said the three victims were transporting 28 cows to sell at a fair in Amravati...

'On February 22, local media reported a group of "cow vigilantes" attacked a family in a truck transporting cattle at Karmanghat in Hyderabad. The attackers assaulted the family and pulled them from their vehicle. Police arrested several men from both the Hindu and Muslim communities for the attack and filed cases against them. Police said the Muslim family members were arrested on the charge of transporting calves in violation of the Prevention of Cruelty against Animals Act. On February 28, police arrested six additional alleged attackers on charges related to fomenting communal hatred.

'In March, Jharkhand Parliamentary Affairs Minister Alamgir Alam told the state legislative assembly that 46 incidents of mob lynching took place in Jharkhand between 2016 and 2021 (most recent government data). A report by the Jharkhand Janadhikar Manch, a human rights collective, stated that more than 30 tribal Christians and Muslims were lynched or beaten in that state on suspicion of cow slaughter or sale and consumption of beef between 2016 and 2021. According to the All Muslim Youth Association (AMYA), there were 58 lynchings related to cow slaughter in Jharkhand

<sup>71</sup> Times of India, '[Uttar Pradesh Police arrest 120 people in cow smuggling ...](#)', 6 February 2023

<sup>72</sup> Xe.com, '[1,990,000 INR to GBP - Convert Indian Rupees to British Pounds](#)', 24 January 2024

<sup>73</sup> USSD IRF, '[2022 Report on International Religious Freedom: India](#)' (section II), 15 May 2023

between March 2016 and December 2022, in which 36 persons were killed and 23 seriously injured. Those killed included 16 Muslims, 11 Hindus, five Christians and four Sarna Adivasis; 13 Christians, four Sarna Adivasis, three Muslims and two Hindus were among the wounded.<sup>74</sup>

11.2.12 In April 2023, The Independent reported:

‘Four members of a right-wing group were arrested after they allegedly slaughtered cows to frame Muslim men as religious tensions continued to grip parts of India following the Hindu festival of Ram Navami. Police in the northern Uttar Pradesh state arrested members of the All India Hindu Mahasabha in connection with a false complaint against four Muslim men, accusing them of slaughtering a cow last month, The Wire reported...

‘According to the police, the members of All India Hindu Mahasabha, including leader Jitendra Kumar, filed a police complaint alleging that he witnessed four Muslim men slaughtering a cow in the thickets near Gautam Nagar and were planning to sell the beef. ... However, during the investigation it emerged that the Muslim men who were accused by the members of All India Hindu Mahasabha were innocent and were being implicated in the case due to a personal grudge.’<sup>75</sup>

11.2.13 The Wire, an Indian non-profit news and opinion website, reported in an article dated 2 June 2023:

‘Idrees Pasha was brutally [murdered](#) on March 30, 2023 while transporting cattle along with three others, allegedly by a group of self-appointed “cow vigilantes” led by Puneet Keerehalli and other members of the Rashtra Rakshana Pade in Ramanagara district, Karnataka. Eleven days before this, the same Puneet Kerehalli had assaulted a cattle transporter and used a stun gun to torture him. Videos of this incident were uploaded to Kerehalli’s social media handle after the incident, but no action had been taken against him...

‘... Since the law came into force, people transporting cattle from their farms to the cattle market or from the market to their farms or for any other purpose have been accosted by the police and vigilante groups as if they are planning to slaughter the cattle. There is no objective way of proving that it was indeed for slaughter.’<sup>76</sup>

11.2.14 India Today, a weekly Indian English-language news magazine reported that police arrested four people for transporting cows in a mini goods truck to an abattoir in Dakshina Kannada, Karnataka purportedly for slaughter on Sunday 4 June 2023<sup>77</sup>.

11.2.15 The Indian American Muslim Council (IAMC), an advocacy organisation of Indian Muslims in the United States, who’s main goal is to advocate for religious freedom and pluralism in India, in its reports - [Persecution of Religious Minorities in India: April - June 2023](#), 29 July 2023 (pages 7-10) and [Persecution of Religious Minorities in India: July - September 2023](#), 11

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<sup>74</sup> USSD IRF, ‘[2022 Report on International Religious Freedom: India](#)’ (section III), 15 May 2023

<sup>75</sup> The Independent, ‘[Four Hindu activists arrested in India for killing cows to try and ...](#)’, 10 April 2023

<sup>76</sup> The Wire, ‘[Why Karnataka’s Prevention of Cattle Slaughter Act Needs a Judicial ...](#)’, 2 June 2023

<sup>77</sup> India Today, ‘[Amid anti-cow slaughter row in Karnataka, 4 arrested for transporting ...](#)’, 7 June 2023

October 2023 (pages 21-23), cited incidents of cow vigilantism in India during the second and third quarters of 2023 respectively<sup>78,79</sup>. The report covering July to September 2023 stated: ‘Violent cow vigilantism targeting Muslims witnessed a notable increase as self-proclaimed cow protectors continued to engage in targeted attacks, ostensibly in the name of preventing beef consumption and cattle transportation.’<sup>80</sup>

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Section updated: 14 March 2024

## 12. State treatment of religious minorities

### 12.1 Overview

#### 12.1.1 The USCIRF 2023 Annual Report, noted:

‘In 2022, religious freedom conditions in India continued to worsen. Throughout the year, the Indian government at the national, state, and local levels promoted and enforced religiously dis-criminatory policies, including laws targeting religious conversion, interfaith relationships, the wearing of hijabs, and cow slaughter, which negatively impact Muslims, Christians, Sikhs, Dalits, and Adivasis (indigenous peoples and scheduled tribes). The national government also continued to suppress critical voices—particularly religious minorities and those advocating on their behalf—including through surveillance, harassment, demolition of property, and detention under the Unlawful Activities Prevention Act (UAPA) and by targeting nongovernmental organizations (NGOs) under the Foreign Contribution Regulation Act (FCRA).’<sup>81</sup>

#### 12.1.2 In a February 2021 report, Human Rights Watch (HRW) claimed: ‘Prejudices embedded in the government of the ruling Hindu nationalist Bharatiya Janata Party (BJP) have infiltrated independent institutions, such as the police and the courts, empowering nationalist groups to threaten, harass, and attack religious minorities with impunity.’<sup>82</sup>

#### 12.1.3 The BTI country report 2022 stated that: ‘The response to atrocities committed... against Muslims and members of Scheduled Castes has been extremely poor, and the BJP-led government is not committed to investigating injustices committed against these minority groups.’<sup>83</sup>

#### 12.1.4 The USCIRF, Country Update on Religious Freedom Conditions in India, November 2022, noted:

‘Government officials and nonstate actors continue to use [social media](#) platforms and other forms of [communication](#) to intimidate and [spread hatred](#) and [disinformation](#) against minority communities. The quick spread of [misinformation online](#) has at times led to [violent attacks](#). ... ‘Religious minorities continue to face targeted [violence](#) and discrimination for being perceived as a threat to Hinduism. Authorities, including police, at times

<sup>78</sup> IAMC, [‘Persecution of Religious Minorities in India: April - June 2023’](#) (pages 7-10), 29 July 2023

<sup>79</sup> IAMC, [‘Persecution of Religious Minorities in India: July - ...’](#) (page 21), 11 October 2023

<sup>80</sup> IAMC, [‘Persecution of Religious Minorities in India: July - ...’](#) (page 1), 11 October 2023

<sup>81</sup> USCIRF, [‘2023 Annual Report’](#), May 2023

<sup>82</sup> HRW, [‘India: Government Policies, Actions Target Minorities’](#), 19 February 2021

<sup>83</sup> BTI, [‘BTI 2022 Country Report – India’](#), 24 February 2022

assist Hindu nationalist [vigilante](#) groups.’<sup>84</sup>

12.1.5 In June 2023, Euractiv, a pan-European news website specialising in EU policies, reported:

‘Indian Prime Minister Narendra Modi denied that discrimination against minorities existed under his government during a press conference with US President Joe Biden on Thursday (22 June), despite rights groups and State Department reports of abuses. Asked at the press conference what steps he was willing to take to “improve the rights of Muslims and other minorities in your country and to uphold free speech,” Modi suggested they did not need to be improved. “Our Constitution and our government, and we have proved democracy can deliver. When I say deliver – caste, creed, religion, gender, there is no space for any discrimination (in my government),” Modi told reporters.’<sup>85</sup>

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## 12.2 Christians

12.2.1 The USCIRF Country Update on Religious Freedom Conditions in India, November 2022, noted: ‘The NGO International Christian Concern documented at least 50 incidents from June to October 2021 targeting the Christian community in the state of UP alone, with the majority of incidents perpetrated by Hindu-nationalists aided by the police.’<sup>86</sup>

12.2.2 The Federation of Indian American Christian Organizations of North America (FIACONA), in its Annual Report 2022, noted:

‘As per the media reports and civil society, many violent attacks on Christians go undocumented and unrecorded. There are many reasons why this happens. Victims are often afraid to report it to police because there is a great degree of distrust of the police’s and the political governing system’s ability and willingness to deliver justice. ... In a number of cases, it has been documented that even after reporting, the police have refused to record attacks...

‘The legitimacy of the police and other law enforcement agencies is compromised to the extent that they arrest and prosecute Christian victims rather than the perpetrators of violence. Authorities often refuse to register First Information Reports (FIR) against Hindu nationalists. In some instances, police misrepresent Religion Based Hate Crimes by providing fabricated narratives that the violence was caused by issues related to property disputes, employment, or caste.’<sup>87</sup>

12.2.3 The same report also noted that:

‘The reported violent atrocities against the Christians by the Hindutva terror groups have substantially increased to a total of 1198 during the calendar year 2022 as opposed to a total of 761 incidents collected in 2021. ... The data also shows that in 248 attacks, charges were filed against the Christian victims, of which 243 cases were filed under the so-called Anti-conversion

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<sup>84</sup> USCIRF, ‘[Country Update on Religious Freedom Conditions in India](#)’ (page 5), November 2022

<sup>85</sup> Euractiv, ‘[Narendra Modi denies religious discrimination exists in India](#)’, 23 June 2023

<sup>86</sup> USCIRF, ‘[Country Update on Religious Freedom Conditions in India](#)’ (page 5), November 2022

<sup>87</sup> FIACONA, ‘[FIACONA Annual Report 2022](#)’ (pages 6 & 9), 2022

laws passed by BJP-run states. ... Only in 31 instances have police agreed to file cases against the assailants. It is important to note that in 11 such incidents when the Christian victims of violence asked to file a case against specific leaders of the BJP and its Hindu militia, the police refused. In one case, the police instructed the medical staff not to report the injuries of the Christian victims. Several Christian victims have also informed us that the police accompanied the Hindu militia at the time of the attacks.<sup>88</sup>

#### 12.2.4 The same report also noted that:

‘The data shows that state governments ruled by the BJP party have shown a high number of police cases against Christian victims. It also shows that the BJP leaders protect their militia, who carry out these attacks, through official and non-official interventions. The police under BJP governments have refused to file cases against Hindutva militias in at least 11 instances. In contrast, the police filed three cases against Hindutva militants for attacking Christians in states that were not governed by the BJP party.’<sup>89</sup>

#### 12.2.5 Morning Star News, an independent news service focusing on persecution of Christians, reported on 3 November 2021:

‘Hours after a Hindu nationalist mob assaulted and held more than 60 Christians against their will in central India under accusations of forcible conversion last month, police detained the Christians rather than the assailants, sources said. ... Police arrived but only observed the ordeal, and then at 1:30 a.m. officers put the Christians onto a bus that took them to the Nandini police station 38 miles away, witnesses said. ... Police presented Tandon, 35, before a district judge the morning of Oct. 18, who sent him to jail. ... After his release from jail on bail on Oct. 20, Tandon denied all allegations of forceful conversion. ... The 64 Christian guests were released at 3:30 a.m. only after Gurvinder Singh Chaddha, president of the All India Christian Community Rights Organization, signed surety papers for them, Chaddha said. Whereas police took immediate action on the complaint against Tandon, detaining him and all the guests including women and children, a First Information Report (FIR) against the assailants was filed without any further action by police, Chaddha said. Police deliberately declined to name anyone in the FIR filed against the Hindu mob by Anurag Lal, one of the Christian guests, even though officers were witnesses to the stone-throwing and harassment, Chaddha said.’<sup>90</sup>

#### 12.2.6 New Delhi Television (NDTV) reported on 3 March 2022:

‘The Delhi Police registered an FIR [First Information Report] on Thursday days after a pastor alleged that he was thrashed, humiliated and forced to chant “Jai Shree Ram” by a group of unknown persons, who accused him of carrying out religious conversions "forcibly", officials said. The incident took place on February 25 at South Delhi's Fatehpuri Berri area but the pastor, Kelom Tet, filed the complaint two days later at the Maidan Garhi police station, they said. In the videos of the purported incident, a group of men can be seen surrounding the pastor and heckling him....

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<sup>88</sup> FIACONA, [‘FIACONA Annual Report 2023’](#) (page 18), 2023

<sup>89</sup> FIACONA, [‘FIACONA Annual Report 2023’](#) (page 25), 2023

<sup>90</sup> Morning Star News, [‘Hindu Nationalist Mob Holds Christians against their Will’](#), 3 November 2021

"Based on the complaint, we have lodged an FIR against unknown persons under sections 365 (Kidnapping or abducting with intent secretly and wrongfully to confine person), 323 (Punishment for voluntarily causing hurt), 341 (Punishment for wrongful restraint) and 34 (Acts done by several persons in furtherance of common intention) of the Indian Penal Code and an investigation is underway," said Harsha Vardhan, Additional Deputy Commissioner of Police (South).<sup>91</sup>

12.2.7 International Christian Concern (ICC), reported in April 2022: 'Last Saturday [23 April], a Christian Pastor was tortured for nearly 24 hours in police custody. He was arrested on false charges of conversion activities in the North Indian state of Uttar Pradesh. The incident took place 30 miles away from the district headquarters of Azamgarh in the Bardah police station jurisdiction. The injured pastor was released the following Sunday evening.'<sup>92</sup>

12.2.8 Premier Christian News, a U.S. based charity supporting Christians around the world, reported in an article dated 3 June 2022: 'It's understood at least 30 people were imprisoned in India during May because of their faith. According to persecution watchdog, International Christian Concern (ICC), the arrests were justified by filling charges of forced conversion [see [Conversion and 'forced' conversion](#)].'<sup>93</sup>

12.2.9 Reporting forced evictions in Chhattisgarh in December 2022 and the police response, the USSD IRF Report 2022 noted:

'On December 18, local villagers forced approximately 200 Christians from 70 families to leave their homes in the Narayanpur and Konagaon Districts of Chhattisgarh State. International media said there were 20 "coordinated attacks" on Christians around the state that day. ... When some protested, they were beaten. The fellowship said some Christians were hospitalized because of their injuries, and police refused to take action when the victims filed complaints against their attackers.'<sup>94</sup>

12.2.10 In February 2023, Christianity Today (CT) a Christian media magazine, reported:

'India's church is exhausted by the surge of anticonversion laws and accusations of illegal proselytization. They're tired of mobs driving out Christians from their villages and the possibility that many face property destruction and personal violence. ... Last week, 22,000 Christians across the denominational spectrum and from around the country gathered together in their nation's capital to demand better.

"This protest is basically to call the attention of the government to the increasing violence against Christians and our institutions. These attacks are without reasons and basis," Metropolitan Youhanon Mar Demetrios at the Malankara Orthodox Syrian Church in Delhi told CT...

'Thousands of young people, church leaders, human rights activists, educationists, lawyers, musicians, and other professionals from more than

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<sup>91</sup> NDTV, '[Pastor Assaulted, Made To Chant "Jai Shree Ram" In Delhi, Case Filed](#)', 3 March 2022

<sup>92</sup> ICC, '[Indian Pastor Tortured in Police Custody](#)', 25 April 2022

<sup>93</sup> Premier Christian News, '[30 Christians jailed in India as persecution in the country ...](#)', 3 June 2022

<sup>94</sup> USSD IRF, '[2022 Report on International Religious Freedom: India](#)' (section III), 15 May 2023

80 denominations and Christian organizations gathered at the February 19 event at Jantar Mantar, a historic observatory...

'Bhupendra Khora, an activist hailing from Chhattisgarh, provided a first-person account of the oppression that Christian Adivasis residing in the Bastar region [have been enduring](#). In December 2022, in what appeared to be a coordinated assault, Hindu radicals in the area offered their Christian neighbors three choices: deny their faith, abandon their ancestral homes, or face death. Those who chose to stay were attacked, their homes and places of worship demolished, their crops set on fire, and their animals killed and consumed—atrocities that have been confirmed by numerous fact-finding investigations.

'Despite the high court's directive for the Chhattisgarh government to offer aid to the displaced people in the region's established government camps, the majority of those fleeing have opted to stay in hiding, concerned that they would be compelled to return to their villages after a few days. While some of them desire to return to their native land and normal routines, they demand police protection and justice against those responsible.'<sup>95</sup>

12.2.11 Open Doors, reported on 1 March 2023: 'More than 15,000 Christians from around 70 denominations in India came together in the capital New Delhi last month to protest against ongoing persecution. The peaceful protests on Sunday 19 February called on the government, the court and civil society to intervene on behalf of persecuted Christians, particularly in states that in recent years have passed so-called "anti-conversion laws".'<sup>96</sup>

12.2.12 The DFAT Country Report 2023 noted that: 'There are numerous reports of police not investigating attacks against Christians and some reports of police complaints being used as a weapon by anti-Christian activists. Beyond these reports, DFAT is not aware of official discrimination against Christians, who generally access government services freely.'<sup>97</sup>

12.2.13 USSD IRF Report 2022 noted:

'Government authorities took action in response to complaints of forced religious conversions during the year, including arresting Christians accused of forcing others to convert, arresting Hindus who attacked those accused of forcing others to convert, and ordering investigations into cases of possible forced conversions by Christians and Muslims. In some cases, Christian groups said police sometimes aided crowds who disrupted worship services they said were forcibly converting Hindus.'<sup>98</sup>

12.2.14 In September 2023, Union of Catholic Asian News (UCA News), a news agency that covers issues and matters in relation to the Catholic Church in Asia reported:

'Christian leaders in a northern Indian state have expressed serious concern after a series of detentions and arrests over alleged "conversion" activities by police during the past week. "More than 25 Christians including pastors were

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<sup>95</sup> CT, '[22,000 Indian Christians Peacefully Protest Rising Persecution at ...](#)', 27 February 2023

<sup>96</sup> Open Doors, '[15,000 Christians in India protest against ongoing persecution](#)', 1 March 2023

<sup>97</sup> DFAT, '[DFAT Country Information Report India](#)' (paragraph 3.59), 29 September 2023

<sup>98</sup> USSD IRF, '[2022 Report on International Religious Freedom: India](#)' (section II), 15 May 2023



detained or arrested in the past week,” said Pastor Jitendra Singh, general secretary of the Pastors’ Association of Uttar Pradesh...

‘Uttar Pradesh reported the highest number of attacks against Christians so far this year, according to the New Delhi-based United Christian Forum (UCF), which tracks persecution of Christians across the country. The most populous state, ruled by the pro-Hindu Bharatiya Janata Party of Indian Prime Minister Narendra Modi, reported 211 incidents. ... In Azamgarh district, the police arrested Parmeshwar Ram, Brijesh Yadav and Poonam Yadav after local people alleged they were offering financial inducements for conversion to Christianity. A case was registered against the three at the Jahanaganj police station. They were accused of gathering a large number of men and women aiming to convert them to Christianity. ... “The state police have arrested more than 100 people including pastors in the last six months under the false allegation of religious conversion,” Pastor Singh said.’<sup>99</sup>

(See also [Conversion and ‘forced’ conversion](#) for information on legislation on religious conversion in India and how it impacts upon Christians)

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## 12.3 Muslims

- 12.3.1 In late 2022, a Panel of Independent International Experts (the Panel), consisting of three international law experts launched their [Report](#) on serious human rights violations against Muslims in India since 2019, the report noted: ‘Since [the re-election of the BJP administration in 2019] Islamophobic rhetoric has been ramped up by the BJP and the wider Hindutva network and amplified by state-aligned media and social media platforms, creating a toxic environment that degrades Muslims. There have been several direct calls by public leaders to kill Muslims, rape Muslim women and wipe out Islam.’<sup>100</sup>
- 12.3.2 In its report of 19 February 2021, Human Rights Watch (HRW) stated: ‘Authorities in India have adopted laws and policies that systematically discriminate against Muslims and stigmatize critics of the government, ...’<sup>101</sup>
- 12.3.3 Minority Rights Group International (MRGI), reported: ‘ ... [T]he exclusion of Muslims (as well as Christians) from the officially recognized scheduled castes has meant that even the most impoverished of Indian Muslims have not been able to benefit from those affirmative action programmes in place. The limited and poorly funded minority rights structures in place in India at present have also come under increasing threat since the Bharatiya Janata Party (BJP) took power in 2014.’<sup>102</sup>
- 12.3.4 The Report of the Panel of Independent International Experts, noted: ‘The information examined by the Panel showed that federal and state-level authorities adopted during this period a wide range of laws, policies and conduct that target Muslims directly or affect them disproportionately. Most

<sup>99</sup> UCA News, ‘[Christians wary after spate of arrests in northern India](#)’, 15 September 2023

<sup>100</sup> Biserko, S, and others, UFS, ‘[Report of the Panel of Independent International ...](#)’ (page iv), 2022

<sup>101</sup> HRW, ‘[India: Government Policies, Actions Target Minorities](#)’, 19 February 2021

<sup>102</sup> MRGI, ‘[India: Muslims](#)’, 2023

of these actions were undertaken by state actors. Where non- state actors were allegedly responsible, the state failed to take the necessary measures to prevent or effectively investigate and prosecute them...

'The practice of extrajudicial killings (so- called "encounter killings") to combat crime has been widely used by the police across India...

'Between December 2019 and February 2020, this pattern of unjustified police killings was extended to peaceful protesters or unarmed bystanders who opposed the controversial Citizenship Amendment Act in Uttar Pradesh, Assam and Karnataka. This law, passed in December 2019, expressly discriminates against Muslims by providing an expedited pathway to Indian citizenship for migrants from neighbouring countries of all faiths, except Islam. In Delhi, state actors are alleged to be complicit through acts of commission as well as omission in targeted violence against Muslims, resulting in killings in February 2020...

'In June 2020, UN special Rapporteurs and the Working group on Arbitrary Detention highlighted 11 cases of detention of anti-CAA protestors in Delhi, noting that these arrests seemed to be attempts to silence dissent against the CAA, particularly from Muslim voices. 18 students and activists, including 16 Muslims, who were part of the anti-CAA protests were later detained under the false charges of instigating violence in Northeast Delhi district, where again most of the victims were Muslims. Thirteen ... continued to be in arbitrary detention for over two years, denied bail, and all are charged under counter-terrorism laws, which itself violates standards of international law.'<sup>103</sup>

#### 12.3.5 The Report by the Panel further noted:

'In Uttar Pradesh, which also saw large-scale killings of Muslims in crackdowns against anti-CAA protesters, allegedly by police bullets, scores of anti-CAA protesters were detained, with the number ranging from 800 to 4,500 according to various statements made by the state authorities. Among those arrested were prominent human rights defenders, lawyers, environmental activists, academics, artists and a number of minors. In at least 187 cases, reports – a few emblematic examples of which the panel has seen - indicate that these arrests did not meet the necessary requirements of domestic criminal procedural law, e.g. minors were not presented to the Juvenile Justice Board within the first 48 hours and some individuals were added to a FIR only after they were arrested, or there was no reasonable basis for the arrest. It is reported that scores of students at the Aligarh Muslim University, and activists in Lucknow were taken into custody without charge, beaten and humiliated. In Muzaffarnagar, students of the Sadaat Madrasa (residential Muslim seminary), many minors, were reportedly detained by the police, and the school principal and staff members forced to spend a night in custody, at great physical and mental harm to themselves and the students...

'In Uttar Pradesh, the families of those killed extrajudicially in the crackdown against anti- CAA protesters were allegedly subjected to harassment and intimidation in the aftermath of violence, including refusal to hand over

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<sup>103</sup> Biserko, S, and others, UFS, '[Report of the Panel of Independent International ...](#)' (page v), 2022

bodies of the deceased for burial; enforcing burial at distant sites under the supervision of police; delaying and fabricating autopsy reports; refusal to register cases of murder even when family members provided evidence; and threats of filing fabricated cases against family members when they demanded action. ... There is credible evidence to suggest that the crimes of murder, torture, unlawful imprisonment and persecution may have been committed by the police. ... There are indications that the acts were committed in a widespread manner due to the significant number of victims and locations across the state, and in a systematic manner due to their organised and coordinated planning and implementation.<sup>104</sup>

#### 12.3.6 According to the Panel:

‘Frequently, torture and cruel, inhuman or degrading treatment against dissident voices, mostly coming from the Muslim community, accompany arbitrary detentions. The materials reviewed show credible allegations of physical and mental abuse by police officials, such as beating with fists or batons, slapping, and kicking different parts of the body, resulting in severe physical and mental pain or suffering, including broken limbs, loss of consciousness and other serious injuries. In Delhi, Uttar Pradesh and Assam, this treatment was meted out to people protesting or opposing the Citizenship Amendment Act. Most alleged victims were in police custody at the time. Some were children as young as nine. Often, these abuses were combined with abusive language against the religious identity of the victims, indicating a discriminatory purpose.’<sup>105</sup>

#### 12.3.7 The Report by the Panel added: ‘Several state ministers and individuals associated with the BJP and their ideological front, RSS, have reportedly been engaging in incitement to discrimination, hostility and violence against the Muslim community in public spaces as well as through online platforms such as Twitter, Facebook etc.’<sup>106</sup>

#### 12.3.8 According to the Panel: ‘Attacks on mosques have been reported across several states in India. ... In June 2021 a mosque was bulldozed in Uttar Pradesh, allegedly for being an illegal structure. During the targeted violence in February 2020 in North East Delhi, 22 different Muslim religious buildings, including mosques, seminaries, graveyards and mausoleums were reported to have been targeted, all in the span of three days.’<sup>107</sup>

#### 12.3.9 The USCIRF, Country Update on Religious Freedom Conditions in India, November 2022, noted: ‘In February 2022, a verified handle of the Gujarat BJP tweeted a caricature of a group of Muslim men hung by a noose. Although Twitter [removed](#) the tweet, it [symbolized](#) the rising tide of religious polarization in the world’s most populous democracy.’<sup>108</sup>

#### 12.3.10 The USSD IRF Report 2022, stated: ‘Following communal violence in Khargone, Madhya Pradesh, on April 10, police arrested 148 individuals, most of them Muslim, and the state government bulldozed 16 homes and 29 shops largely owned by Muslims accused of inciting the violence, according

<sup>104</sup> Biserko, S, and others, UFS, ‘[Report of the Panel of Independent ...](#)’ (pages ix, 27, 62), 2022

<sup>105</sup> Biserko, S, and others, UFS, ‘[Report of the Panel of Independent International ...](#)’ (vi), 2022

<sup>106</sup> Biserko, S, and others, UFS, ‘[Report of the Panel of Independent International ...](#)’ (page 33), 2022

<sup>107</sup> Biserko, S, and others, UFS, ‘[Report of the Panel of Independent ...](#)’ (page 103), 2022

<sup>108</sup> USCIRF, ‘[Country Update on Religious Freedom Conditions in India](#)’ (page 5), November 2022

to BBC News. The state's Minister for Home Affairs, Narottam Mishra, said to local media, "If Muslims carry out such attacks, then they should not expect justice."<sup>109</sup>

12.3.11 Deutsche Welle (DW) noted in an article dated 14 April 2023: 'Several foreign governments and international bodies have condemned the BJP's discrimination against Muslims, citing the Kashmir conflict and anti-Muslim rhetoric as particular concerns, as well as the controversy around [the Citizenship Amendment Act of 2019](#). [see [Citizenship Amendment Act \(CAA\)](#)].'<sup>110</sup>

12.3.12 On 14 June 2022 Amnesty International (AI) reported:

'In the last few days, thousands of people took to the streets in the states of Uttar Pradesh, Jharkhand, West Bengal, Maharashtra, Karnataka, Gujarat, Jammu & Kashmir and Telangana calling for the arrest of Nupur Sharma and Naveen Kumar Jindal, the former spokespersons for... (BJP)... for making statements deemed insulting of Prophet Mohammed in a prime-time TV news debate. ... On 10 June, media reported an incident where, police personnel can be [seen](#) striking batons, pelting stones and shooting bystanders during protests in Ranchi, Jharkhand. Another bystander was shot six times by the police while returning from the market. Two protesters including a 15-year-old child was fatally shot in the head by the police... In another video reported by multiple media outlets and shared by many on Twitter including the former [Chief Minister](#) of Uttar Pradesh, a police officer is repeatedly hitting detained male protesters with batons in Saharanpur, Uttar Pradesh while they cry in fear and pain and one protester complains of a fractured arm. Instead of criticizing the use of force, it was celebrated by [former police officers](#) and [BJP politicians](#) on social media...

'... the authorities carried out the unlawful and arbitrary demolition of houses belonging to Muslims suspected of being "key conspirators" of the violence that erupted during the protests in Prayagraj, Uttar Pradesh. On 10 June, activist Javed Mohammed, his wife and younger daughter were detained along with many others by the police. ... Javed Mohammed and his elder daughter Afreen Fatima, a student activist, have been vocal in their criticism of the government specially against the discriminatory Citizenship Amendment Act. While the authorities cited illegal construction as the reason for demolition, the notice was issued in the name of Javed Mohammed who did not even own the demolished property. On 12 June, the authorities demolished the two-storey house, amounting to a punitive measure and a violation of the right to adequate housing. Houses of many other protesters were similarly demolished in Uttar Pradesh.'<sup>111</sup>

12.3.13 Al Jazeera reported on 6 October 2022:

'Human rights group Amnesty International has called the flogging of Muslim men by police in the western Indian state of Gujarat "a serious human rights violation" that shows "utter disrespect towards the law". A video of the incident that took place on Tuesday in Udhela village of Gujarat's Kheda

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<sup>109</sup> USSD IRF, '[2022 Report on International Religious Freedom: India](#)' (section II), 15 May 2023

<sup>110</sup> Deutsche Welle (DW), '[How are Muslims coping in India?](#)', 14 April 2023

<sup>111</sup> AI, '[India: Excessive use of force, arbitrary detention and punitive measures ...](#)', 14 June 2023

district went viral on social media. It showed several Muslim men tied to a pole and beaten with a stick by policemen in civilian clothing, as a crowd that included women and children cheered. The men, accused by the police of throwing stones at a Hindu religious event, were told to apologise to the crowd after the flogging and then bundled into a police van.<sup>112</sup> Al Jazeera posted a video of the incident on X (formally known as [Twitter](#))<sup>113</sup>.

12.3.14 It its report - India: Surge in Summary Punishments of Muslims', 7 October 2022, HRW noted:

'The authorities in [India](#) are increasingly using summary and abusive punishments against Muslims deemed to have broken the law, Human Rights Watch said today. In several states ruled by the Hindu nationalist ... BJP, the authorities have demolished Muslim homes and properties without legal authorization, and most recently, publicly flogged Muslim men accused of disrupting a Hindu festival.

"The authorities in several Indian states are carrying out violence against Muslims as a kind of summary punishment," said [Meenakshi Ganguly](#), South Asia director at Human Rights Watch. "Officials blatantly disregarding the rule of law are sending a message to the public that Muslims can be discriminated against and attacked."... In the same [report](#), HRW provided details of some recorded incidents of violence against Muslims in 2022<sup>114</sup>.

12.3.15 Middle East Eye, a UK-based news website covering events in the Middle East and North Africa, reported on 1 February 2023:

'According to a recent [report](#) from the People's Union for Civil Liberties, more than 1,000 Muslim girls in Karnataka have left college amid a systematic campaign to isolate hijabi women from educational institutions. Hindutva organisations have carried out a vicious campaign against students wearing hijabs, fuelled by government and police inaction. Karnataka's ban on hijabs in educational institutions was upheld last year by the state's high court, thus denying these women the right to an education.

'The so-called hijab row is a part of a larger design by the ruling BJP to push the Muslim community further into the margins of society and to establish Hindu supremacy, where Muslims are shown "their place".<sup>115</sup>

12.3.16 The USSD IRF Report 2022, noted:

'During the year, some politicians and government officials made public statements that some religious minority groups viewed as controversial or derogatory. According to media reports, on May 7, BJP state legislator Haribhushan Thakur Bachaul said during an event in Patna, Bihar, that Muslims should be "set ablaze, just as Hindus burn effigies during the Dussehra festival." In February, Bachaul said that Muslims living in the country should be stripped of voting rights and treated as "second class citizens," prompting a protest in the Bihar Legislative Assembly by members of the opposition.

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<sup>112</sup> Al Jazeera, '[India police flogging Muslims 'serious rights violation': Amnesty](#)', 6 October 2022

<sup>113</sup> Al Jazeera, (@AJEnglish), '[Video: Viral clip shows Muslims publicly flogged in ...](#)', 6 October 2022

<sup>114</sup> HRW, '[India: Surge in Summary Punishments of Muslims](#)', 7 October 2022

<sup>115</sup> Middle East Eye, '[Repression and fear: Life as a hijabi Muslim in Modi's India](#)', 1 February 2023

'The government also took some action against other public statements that religious groups said they considered derogatory. Media outlets reported that on January 12, the Supreme Court agreed to review a petition against Pooja Shakun Pandey, a member of the Hindu Mahasabha political party, and other Hindu leaders for remarks they made during a conference in Haridwar, Uttarakhand, in December 2021. Retired judge Anjana Prakash filed the petition, which said the anti-Muslim remarks made at the conference posed "a grave threat not just to the unity and integrity of our country but also endanger the lives of millions of Muslim citizens." ... The court was reviewing the petition at year's end.'<sup>116</sup>

12.3.17 The USSD IRF Report 2022 further noted:

'BJP state politician Haribhushan Thakur Bachaul, who said that Muslims should be "set ablaze"; P.C. George, a former legislator in Kerala State, who encouraged Hindus and Christians to not eat at restaurants run by Muslims; and former BJP Rajasthan state legislator Gyan Dev Ahuja, who encouraged Hindus to kill Muslims suspected of cow slaughter. Police charged all four for their comments, and their cases were at different levels of investigation and prosecution at year's end.'<sup>117</sup> No further details of the cases were available at time of compiling of this CPIN.

12.3.18 The USSD IRF Report 2022 also added:

'On January 14, police arrested Yati Narsinghanand Saraswati, who they described as a religious extremist, and charged him with inciting religious violence in remarks at the same conference as Pandey. Narsinghanand had called upon Hindus to "take up weapons" against Muslims and wage a war against "Islamic jihad" for the protection of Hindus and could face five years in prison if convicted. Released on bail in April, he urged a Hindu audience to take up arms if a Muslim were ever elected prime minister. In September, Delhi police charged Narsinghanand again for making inflammatory remarks against Muslims and educational institutions dedicated to Muslims. He was again released on bail, and his trial was underway at year's end.'<sup>118</sup>

12.3.19 In a July 2023 Briefing Note, the German Federal Office for Migration and Refugees (BAMF), noted that:

'The Supreme Court of India announced it would launch investigations against the northern Indian state of Uttarakhand following calls for the murder of people of the country's Muslim faith at a three-day conference of the Hindu radical movement Hindu Mahasabha in the city of Haridwar in December 2021. The Supreme Court has said that Hindu religious leaders' speeches not only pose a serious threat to India's unity and integrity, but are also endangering the lives of millions of Muslim believers in the country. The ruling Hindu nationalist Bharatiya Janata Party (BJP) has done nothing about the matter. It emanates from the same camp and also adheres to the Hindutva ideology, which wants to make India a purely Hindu country. In recent years, the BJP has pursued a policy of consistent discrimination against minorities such as members of the Muslim and Christian faiths and

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<sup>116</sup> USSD IRF, '[2022 Report on International Religious Freedom: India](#)' (section II), 15 May 2023

<sup>117</sup> USSD IRF, '[2022 Report on International Religious ...](#)' (Executive Summary), 15 May 2023

<sup>118</sup> USSD IRF, '[2022 Report on International Religious Freedom: India](#)' (section II), 15 May 2023

people from the lowest castes. At a hearing held before the U.S. Congress, genocide researcher Gregory Stanton has said there are early warning signs and processes of genocide, notably in Assam and Kashmir.<sup>119</sup>

12.3.20 The Indian American Muslim Council (IAMC) report, published 11 October 2023, claimed:

‘In late July [2023], communal violence broke out in Muslim majority Nuh district of BJP-ruled Haryana state, resulting in multiple fatalities. ... The trigger for the violence is said to have been some threatening videos featuring the infamous cow vigilantes... The violence continued for several days and resulted in six killings, injuries to dozens, and damage to hundreds of cars, homes and places of worship...

‘While siding with Hindu nationalists, police conducted raids on Muslims, prompting over 3,000 impoverished Muslim migrant workers to flee the area due to escalating fears for their safety. The situation escalated after a brutal police crackdown led to the detention of several individuals, including minors. ... [A]ccording to the families [of the minors], the police arrested the minors without proper verification, subjected them to mistreatment, and detained them unlawfully...

‘While escalating the state crackdown on Muslims, authorities in the Nuh district demolished over 1200 Muslim houses and structures, claiming they were linked to communal violence and “illegal encroachments.” The residents maintained that these were not illegal constructions and that they had received no prior notice from the administration before the demolitions began.<sup>120</sup>

12.3.21 Reporting on the violence in Nuh district, Haryana state, Deutsche Welle (DW) noted: ‘The authorities responded as they have done in other BJP-ruled states by pulling down shops and makeshift structures owned by Muslims which they claimed had been built illegally. The authorities demolished 94 houses and 212 other structures, taking the total number of buildings razed by the authorities to more than 750 over the past four days. The operation was only suspended this week, when the state’s high court ordered a pause.’<sup>121</sup>

12.3.22 The IAMC report further noted:

‘A wave of demolitions in the Nai Basti area in Mathura, Uttar Pradesh on August 9th and 14<sup>th</sup> [2023] ... left over five hundred people homeless and struggling. 137 Muslim houses were destroyed after being labeled as “illegal encroachments on government land” and their displaced residents were left in precarious living conditions, with tents along the roadside becoming their temporary shelters. Children stopped attending school with no alternative arrangements in place. The residents had previously filed a petition in civil court against the eviction notice but to no avail.’<sup>122</sup>

12.3.23 The BBC, reporting in August 2023, described: ‘In BJP-governed states such

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<sup>119</sup> BAMF, ‘[Briefing Notes Summary](#)’, 1 July 2023

<sup>120</sup> IAMC, ‘[Persecution of Religious Minorities in India: ...](#)’ (pages 11,12,13), 11 October 2023

<sup>121</sup> DW, ‘[India's religious violence: What's behind raging clashes?](#)’, 10 August 2023

<sup>122</sup> IAMC, ‘[Persecution of Religious Minorities in India: ...](#)’ (page 20), 11 October 2023

as Uttar Pradesh, Madhya Pradesh and Assam, it is now common for bulldozers to swiftly demolish the houses of people who have been accused of crimes. The reason cited is illegal construction but legal experts question this. The chief ministers of these states have also often linked the demolitions with their government's tough stance on crime.<sup>123</sup> According to the Times of Oman, an English daily newspaper in Oman there are over 300,000 active mosques in India<sup>124</sup>.

12.3.24 A report by the Citizens and Lawyers Initiative, a private group of lawyers and citizens who published research on India in March 2023, stated: 'The state-sponsored violence has also caused a crisis of displacement of Muslim families in riot-hit areas, either rendered homeless by the demolitions or having been forced to flee from their homes in fear of further state harassment.'<sup>125</sup>

12.3.25 The Council on Foreign Relations (CFR), noted in an article dated 28 February 2024: 'Under Modi, violence against Muslims has become more common. The moves have sparked protests in India and drawn international condemnation.'<sup>126</sup>

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## 12.4 Sikhs

12.4.1 The Council on Minority Rights in India (CMRI), Religious Minorities In India Report, November 2022, noted:

'January 2022 witnessed a sudden rise in genocide threats targeting the Sikh community. This occurred after Sikh farmers from Punjab protested [see [Sikh farmer protests](#)] near the convoy of Prime Minister Narendra Modi during his visit to the state. As his convoy had to turn back due to the protests, the Prime Minister made a comment at the airport insinuating that he had escaped with his life. This was followed by an outpouring of hate and genocide threats on social media directed at the Sikh community. Some of those giving these threats happened to belong to India's ruling party - the Bharatiya Janata Party (BJP)...

'In the last few years, there have been a number of localised attacks on Sikligar Sikhs in central India. In June 2020, Sikligars in MP's Khargone district claimed that they had to flee their homes and were forced to live in the forest due to being hounded by the police. Later that year a Sikh Granthi (preacher) belonging to the Sikligar community was publicly thrashed by the police in Madhya Pradesh's Barwani district. The police also pulled him by the hair, which amounts to insulting an article of faith for Sikhs.

'In 2018, houses belonging to Sikligars and a Gurdwara were damaged by the police in Balsa near Parbhani in Maharashtra. These attacks make the community of Sikligar Sikhs even more vulnerable.'<sup>127</sup>

12.4.2 The CMRI Report further stated:

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<sup>123</sup> BBC, '[Nuh violence: Is bulldozer punishment trampling justice in India?](#)', 8 August 2023

<sup>124</sup> Times of Oman, '[Indian mosques showcase exquisite architecture and rich ...](#)', 15 March 2023

<sup>125</sup> Citizens and Lawyers Initiative, '["Routes of Wrath: Weaponising ..."](#)' (page 17), March 2023

<sup>126</sup> CFR, '[India's Muslims: An Increasingly Marginalized Population](#)', 28 February 2024

<sup>127</sup> CMRI, '[Religious Minorities In India Report](#)' (pages 180 & 182), November 2022



‘Along with Muslims, Sikhs are bearing the brunt of India's draconian anti-terror legislation - the Unlawful Activities Prevention Act with hundreds being incarcerated under it. The legislation allows the authorities to arrest and jail individuals for years without a trial...

‘A number of Sikh websites, social media accounts, and hashtags have ... been banned by the Indian authorities. Punjab-based news website Sikh Siyasat was blocked in June 2020 within India. Sikh oriented news channels Akaal Channel, KTV and TV84 were blocked on YouTube. While Akaal Channel is live again, the ban on the YouTube homepages of TV84 and KTV continues. Sikh Siyasat's English website also remains blocked in India.’<sup>128</sup>

12.4.3 For information about Sikh separatism and the Khalistan movement, see the Country Policy and Information Note, [India: Political parties and affiliation](#).

12.4.4 For more information about Operation Blue Star see: India Today, [What happened during 1984 Operation Blue Star?](#), 6 June 2018

(See [Societal treatment of religious minorities – Sikhs](#))

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## 12.5 Sikh farmer protests

12.5.1 A November 2020 report by the National Institution for Transforming India, entitled [New Farm Acts, Understanding the implications](#), outlined the three farming laws introduced in 2020 in India<sup>129</sup>. For information on the resulting protests in 2020 and 2021 see the archived CPIN via [Ecoi.net](#).

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Section updated: 14 March 2024

## 13. Societal treatment of religious minorities

### 13.1 Overview

13.1.1 The USSD IRF Report 2022 noted:

‘There were ... cases of communal violence between religious groups. The National Crimes Record Bureau reported 378 instances of communal violence in 2021 (most recent data) compared to 857 in 2020. Religious leaders, academics, ... and activists made inflammatory public remarks about religious minorities. Examples included Yati Narasinghanand Saraswati, described as a Hindu religious extremist, who urged Hindus to “take up arms” against the threat of religious conversion and Muslim rule in the country...’<sup>130</sup>

13.1.2 In its report - Persecution of Religious Minorities in India: April - June 2023, 29 July 2023, the IAMC stated: ‘During the second quarter of 2023, India experienced a distressing escalation in communal violence, targeted attacks, and hate speech directed against religious minorities. Muslims and Christians were particularly affected by these incidents, deepening the

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<sup>128</sup> CMRI, [‘Religious Minorities In India Report’](#) (pages 176 & 179), November 2022

<sup>129</sup> NITI, [‘New Farm Acts: Understanding the Implications’](#), November 2020

<sup>130</sup> USSD IRF, [‘2022 Report on International Religious ...’](#) (Executive Summary), 15 May 2023

existing climate of persecution and discrimination faced by minority communities in the country. This rise in violence and intolerance has raised significant alarm.<sup>131</sup>

- 13.1.3 An article by NBC News, dated 6 September 2023, noted: ‘Communal violence is nothing new in India... [b]ut in recent years there has been a surge in attacks on Muslims, who make up about 14% of the population, as well as Christians, who are India’s second-largest religious minority at less than 3% of the population.’<sup>132</sup>
- 13.1.4 Citing a number of sources, the US Department of Labor annual report on the worst forms of child labor stated: ‘Child victims of commercial sexual exploitation and forced labor are typically from marginalized groups, such as low-caste Hindus, members of tribal communities, or religious minorities.’<sup>133</sup>
- (See also [Christians](#), [Muslims](#), and [Sikhs](#) below which also includes information on communal violence relating to the specific religions.)

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## 13.2 Christians

- 13.2.1 The Pew Research Center, findings of a survey conducted between late 2019 and early 2020 noted that of the nearly 30,000 face-to-face interviews, 1,011 people who identify as Christian, 89 percent of Christian respondents said they were "very free" to practise their religion<sup>134</sup>.
- 13.2.2 Outlook (India) reported on 13 March 2023: ‘... at least 305 incidents of violence against Christians were recorded in the first nine months of 2021, according to a fact-finding report released by the Association for the Protection of Civil Rights, United Against Hate, and United Christian Forum. Some of these have been reported from states such as Karnataka, Madhya Pradesh, and Uttarakhand.’<sup>135</sup>
- 13.2.3 The USSD IRF Report 2022, noted:
- ‘By November 26 [2022], the NGO United Christian Forum (UCF) said there had been 511 anti-Christian incidents around the country reported to its hotline, compared to 505 in all of 2021, and urged the government to take action in response to these incidents...
- ‘In August, the spokesperson of the Christian NGO [Non-Governmental Organisation] Open Doors UK & Ireland said the situation facing Christians and other religious minorities in the country was “unprecedentedly grave.” In September, the Supreme Court directed the Ministry of Home Affairs to collect information from eight states within four months on allegations of attacks against Christians.’<sup>136</sup>
- 13.2.4 NBC News, in an article date 6 September 2023, reported:
- ‘Abhishek Donald was at church last month... when he and fellow

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<sup>131</sup> IAMC, ‘[Persecution of Religious Minorities in India: April - June 2023](#)’ (page 1), 29 July 2023

<sup>132</sup> NBC News, ‘[Religious violence reaches India’s capital as a Hindu mob ...](#)’, 6 September 2023

<sup>133</sup> USDOL, ‘[2022 Findings on the Worst Forms of Child Labor: India](#)’, 26 September 2023

<sup>134</sup> Sahgal, N, and others, PRC, ‘[Religion in India: Tolerance and ...](#)’ (pages 57 & 221), 29 June 2021

<sup>135</sup> Outlook (India), ‘[A Look At Recent Attacks Against Christians In India](#)’, 13 March 2023

<sup>136</sup> USSD IRF, ‘[2022 Report on International Religious ...](#)’ (Executive Summary), 15 May 2023

parishioners were attacked by a right-wing Hindu mob. During the assault, a man wielding an iron rod broke the knuckles on Abhishek's right hand and struck him on the back at least twice, turning his skin blue. ... He was one of the few people at the Prarthana Bhawan Church in India's capital region on Sunday, two weeks after the mob barged in.

'The group of about 30 people attacked dozens of churchgoers, including women and children, the church's pastor, Satpal Bhati, said. ... "They came straight inside and started beating up people. They broke a chair, tore our Bible, busted the drums, and beat the kid's hand with a rod," Bhati said.

"They said, 'This can't go on, you can't do this, this is a Hindu nation,'" he added.<sup>137</sup>

#### 13.2.5 The Wire, reported on 9 September 2023:

'On Thursday, September 7, the United Christian Forum (UCF) – a civil society organisation focused on Christian issues, based in Delhi – released a stunning statistic: there have been 525 attacks against Christians in India just in the first eight months of 2023. ... "All these incidents of violence are by mob violence led by so called vigilante groups of particular faith who are allegedly receiving support from people in power," the UCF said in a press release. ... In the 11 years between 2012 and 2022, the number of incidents recorded have gone up four times. The first big jump was in 2016, when the EFI report detailed 247 incidents. This number continued to rise in the next few years. The next jump was in 2021, which saw 505 incidents recorded. This rose further to 599 in 2022...

'The attacks against Christians are not occurring in a vacuum – and the rise in the number of such incidents coincides with the rise in Hindu nationalism and different forms of violence against minorities by both state and non-state actors. Statements on minorities by ruling party leaders or those holding high office seem to have been a force-multiplier and led to more impunity.<sup>138</sup>

#### 13.2.6 The Wire article included the below chart showing the number of attacks against Christians from 2009 to 2023<sup>139</sup>:

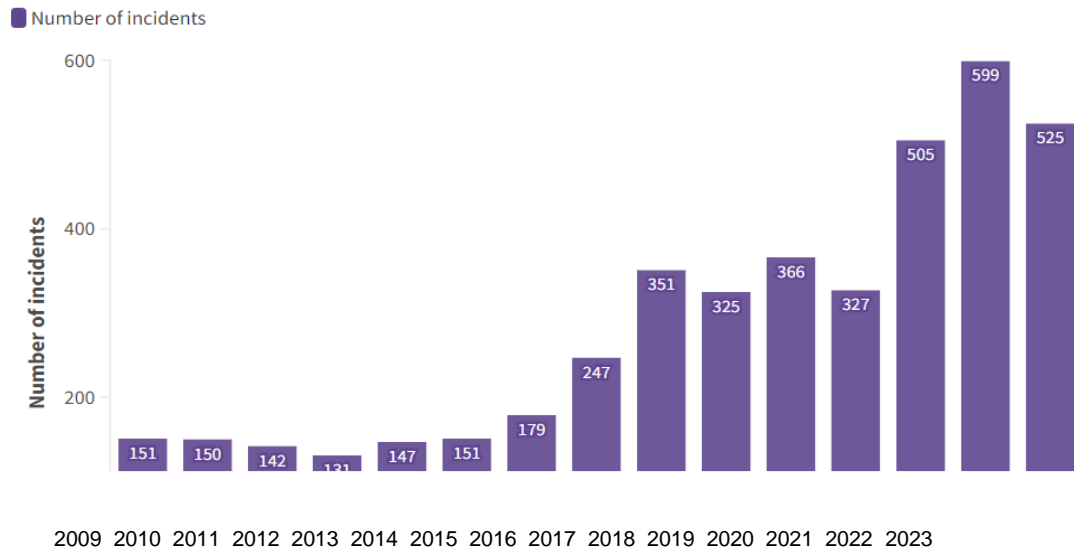
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<sup>137</sup> NBC News, '[Religious violence reaches India's capital as a Hindu mob ...](#)', 6 September 2023

<sup>138</sup> The Wire, '[Data: Rise in Attacks on Christians in India, Up Four Times in 11 ...](#)', 9 September 2023

<sup>139</sup> The Wire, '[Data: Rise in Attacks on Christians in India, Up Four Times in 11 ...](#)', 9 September 2023

## Attacks against Christians 2009-2023



- 13.2.7 The Federation of Indian American Christian Organizations of North America (FIACONA), in its Annual Report 2023, in which it claimed that the data was collected through self-reporting on dedicated phone numbers, which were shared throughout the Indian Christian community and corroborated through secondary sources, noted: ‘During 2022, FIACONA recorded 1198 incidents of violence against Indian Christians. It is a 157% increase from the 2021 data. The increase in these incidents can be directly attributed to the propaganda by the BJP government officials accusing Indian Christians of large-scale “forced” conversion. A sustained propaganda campaign for the past ten years or so against Christians has made a lot of people believe it.’<sup>140</sup>
- 13.2.8 The DFAT Country Report 2023, noted:  
 ‘There have been increasing reports of violent communal attacks against Christians. These attacks have also been occasioned against Muslims, but Christians are a much smaller minority and media attention has tended to focus more on the former. The consequences of such violence can be serious and even fatal. While attacks against Christians are more commonly reported in recent years, there is not a consistent pattern of these attacks and they are not a day-to-day occurrence.’<sup>141</sup>
- 13.2.9 DFAT assessed: ‘... Christians face a low risk of societal violence. Most Christians go about their daily lives with a low risk of societal discrimination, but the risk is higher for Dalit converts and Christians considered to be of a low caste, given their intersectional identities.’<sup>142</sup>
- 13.2.10 The USSD IRF Report 2022, further added: ‘There were reports during the year of Hindu groups and organizations taking action against Christians they said were trying to convert others to Christianity and against Muslims, for praying in public. In some incidents, Hindus attacked Christians and

<sup>140</sup> FIACONA, ‘[FIACONA Annual Report 2023](#)’ (page 12), 2023

<sup>141</sup> DFAT, ‘[DFAT Country Information Report India](#)’ (paragraph 3.59), 29 September 2023

<sup>142</sup> DFAT, ‘[DFAT Country Information Report India](#)’ (paragraph 3.59), 29 September 2023

disrupted Christian worship services.<sup>143</sup>

13.2.11 The Independent online newspaper, reported on 10 January 2023:

‘India’s Supreme Court has said that religious conversion is a “serious issue” which should not be given a “political colour”. This comes amid a spate of incidents of targeted attacks on Christians, churches and missionaries across the country around Christmas over allegations of forced conversions. ... “Incidents are reported every week throughout the country where conversion is done by intimidating, threatening, deceptively luring through gifts and monetary benefits and also by using black magic, superstition, miracles but Centre and States have not taken stringent steps to stop this menace,” said the plea, according to news agency Press Trust of India. ... On 26 December a police complaint was filed against a Christian pastor in the northern Uttar Pradesh (UP) state after a right-wing activist alleged in his complaint that the pastor was “enticing” a crowd of 100 people to “convert to Christianity”.<sup>144</sup>

(See [Conversion and ‘forced’ conversion](#) and [Hindu nationalism](#), and [Scheduled Tribes](#) for further information on violence towards Christians within a Scheduled Tribe.)

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### 13.3 Muslims

13.3.1 The Pew Research Center, findings of a survey conducted between late 2019 and early 2020 noted that of the nearly 30,000 face-to-face interviews, 3,336 people who identify as Muslim, 89 percent of Muslim respondents said they were “very free” to practice their religion<sup>145</sup>.

13.3.2 The BTI Country Report 2022 noted that: ‘Discrimination of Muslims and Scheduled Tribes has substantially worsened in recent years. Muslims have long been a marginalized community and the intergenerational upward social mobility of Muslims has strongly decreased over the past two decades. Under the Modi government, Muslims (as well as Dalits) have increasingly been victims of mob attacks perpetrated by Hindu-nationalist groups.’<sup>146</sup> (see [Hindu nationalism](#))

13.3.3 The same report also noted that: ‘Further episodes of mob violence against Muslims have occurred, including clashes in Delhi in February 2020 in the context of protests against the Citizenship Amendment Act. The episode has been labeled a pogrom by some experts. Violence has been incited by Hindu-nationalist politicians and the police have not done much to stop the violence.’<sup>147</sup>

13.3.4 Minority Rights Group International (MRGI), reported: ‘India’s Muslim population, particularly the poorest sections, experience some of the most acute social marginalization of any community. This situation, reflected in their access to education, health and employment, is also driven by the

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<sup>143</sup> USSD IRF, [‘2022 Report on International Religious Freedom: India’](#) (section III), 15 May 2023

<sup>144</sup> Independent, [‘Religious conversions should not be given political colour, says ...’](#), 10 January 2023

<sup>145</sup> Sahgal, N, and others, PRC, [‘Religion in India: Tolerance and ...’](#) (pages 57 & 221), 29 June 2021

<sup>146</sup> BTI, [‘BTI 2022 Country Report – India’](#), 24 February 2022

<sup>147</sup> BTI, [‘BTI 2022 Country Report – India’](#), 24 February 2022

limited enforcement of minority rights protections in India and the persistence of discriminatory provisions in the country's domestic law.<sup>148</sup>

- 13.3.5 Anadolu Agency (AA), a Turkey a state-run news agency headquartered in Ankara, reported on 15 September 2022:

'A higher number of Indian Muslims are jobless and face discrimination in accessing salaried jobs and income through self-employment compared to their non-Muslim fellow citizens, according to the UK's independent charitable organizations focusing on global poverty alleviation. In rural areas, unemployment among Muslims increased by 17% compared to non-Muslims during the first quarter of the COVID-19 pandemic, bringing the rural Muslim unemployment rate to 31.4%, Oxfam stated in its "India Discrimination Report 2022," which was released on Thursday. While only 15.6% of the urban Muslim population aged 15 and above had regular salaried employment, nearly 23.3% of non-Muslims had regular salaried jobs in 2019-20.

'Discrimination against Muslims in the labor market, which contributed to their low employment rate, rose to 68.3% in 2019-20. The report shows that the discrimination faced by Muslims in 2004-05 was 59.3%, indicating an increase in discrimination by 9% over the last 16 years. Regular-salaried non-Muslims in urban areas earn an average of 20,346 Indian rupees (about \$255), which is 49% more than Muslims, who earn 13,672 Indian rupees (about \$171).<sup>149</sup>

- 13.3.6 Al Jazeera reported in September 2022 that India's Muslim domestic workers faced discrimination, noting:

'Muslim workers face ... marginalisation due to their religious identity, said Anita Kapoor, activist and general secretary at the Shehri Mahila Kamgar Union (Urban Domestic Workers' Union) in New Delhi.

"Many workers have to hide their name and identity in order to get a job and avoid [further] discrimination," she told Al Jazeera. "And it's not only the worker who has to change her name but also her kids who often accompany their mothers to work, and their husbands who sometimes take up jobs like driving in the same households. So their entire family has to go through this struggle."...

'Parveen is married to a Hindu and changed her name to Seema, a Hindu name. "I changed it when I married a Hindu man," she clarifies. "Personally, I never faced the problems my mother and aunts had. Even before my marriage, I never had to hide my identity. [Fortunately] I have worked for many good families – Hindus as well as Muslims."<sup>150</sup>

- 13.3.7 In October 2022, Deutsche Welle (DW) reported:

'A panel of India's Supreme Court judges failed on Thursday to rule on whether students can wear the hijab in classrooms. The two-judge bench delivered the split ruling after hearing petitions filed by a group of Muslims against a high court's judgment in the southwestern Karnataka state. In

<sup>148</sup> MRGI, '[India: Muslims](#)', 2023

<sup>149</sup> Anadolu Agency (AA), '[Job discrimination against Indian Muslims rises by ...](#)', 15 September 2022

<sup>150</sup> Al Jazeera, '[Muslim domestic workers in India changing names out of fear](#)', 8 September 2022

February, the court in Karnataka banned people from wearing clothes that disturb equality, integrity and public order in schools and colleges. It sparked protests by Muslim students and their parents, as well as counter-protests by Hindu students. On Thursday, one Supreme Court justice dismissed the appeal and the other said the high court order was wrong and wearing the hijab was "just a question of choice."

'The row began at the start of the year when a government-run school in Karnataka's Udupi district barred students wearing hijabs from entering classrooms. It led to protests throughout the district and gained national prominence on February 8, after a video showing a college-going Muskan Khan [standing up to right-wing Hindu activists](#) outside her college campus. ... The Karnataka state ban does not extend to other Indian states, but the Supreme Court ruling could set a precedent for the rest of the country.'<sup>151</sup> No further update on the court ruling was available at time of drafting.

13.3.8 A report by the Citizens and Lawyers Initiative, a private group of lawyers and citizens who published research on India in March 2023, stated:

'In April 2022, India witnessed communal violence breaking out in as many as nine states, along with incidents of provocation and low-grade violence in three others. In all of them, the catalyst for the violence was the same: religious processions celebrating the Hindu festivals of Ram Navami and Hanuman Jayanti, followed by targeted attacks on Muslim-owned properties, businesses and places of worship. ... A breakdown of the rule of law was observed and documented in most of these towns and villages.

'The immediate violence associated with Ram Navami and Hanuman Jayanti processions saw more than a hundred homes and shops destroyed or burned down, vehicles set ablaze in every city, and multiple places of worship damaged or vandalized... Apart from at least 100 people being injured collectively across the concerned States, Gujarat, Jharkhand and Madhya Pradesh all reported one death each – although the death in Gujarat was found to be accidental, not killed...

'The loot and arson from mobs ransacking houses and shops in the Muslim-majority neighbourhoods where the processions typically instigated violence, resulted in people suffering major, life-changing losses in terms of their savings, documents of identity and proof of residence or ownership, and their means of livelihood.'<sup>152</sup>

13.3.9 The USSD IRF Report 2022, stated:

'On April 12, communal violence broke out in four states (Gujarat, Madhya Pradesh, Jharkhand, and West Bengal) between Hindus and Muslims during Hindu festivals and the Islamic holy month of Ramadan. The Washington Post reported there was also Hindu-Muslim communal violence in Goa and Andhra Pradesh.

'On April 16, Hindu-Muslim clashes broke out at Hubballi in Karnataka, incited by a WhatsApp profile status shared by a college student that showed a saffron flag, a Hindu symbol, flying over Mecca. Members of the

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<sup>151</sup> DW, '[India's top court split on ban on hijab in schools](#)', 13 October 2022

<sup>152</sup> Citizens and Lawyers Initiative, '["Routes of Wrath: Weaponising ..."](#)' (page 17), March 2023

local Muslim community gathered at the local police station to demand action against the student; the crowd then threw stones at the station and police personnel, according to media reports. Police arrested 134 individuals for the violence and opened six cases against some of the perpetrators...

‘On September 10, communal violence erupted during the Hindu festival Mahavir Akhara in Bihar, when members of a Hindu procession allegedly shouted remarks offensive to Muslims while passing by a mosque. Media reported that the Hindus and Muslims then threw stones at each other, and the Hindus set a small shop on fire. Police filed charge reports against 25 Muslims and 10 Hindus for the incident and arrested 20. Among those arrested were a man and his eight-year-old grandson who were granted bail after a week in custody.’<sup>153</sup>

#### 13.3.10 The USSD IRF Report 2022 further noted:

‘In September, Mohan Bhagwat, the chief of the [[Rashtriya Swayamsevak Sangha](#)] RSS, met with five prominent members of the Muslim community to listen to their concerns and discuss how to promote communal harmony between the Muslim and Hindu communities. ... Media reported that some Muslim groups welcomed Bhagwat’s engagement, while others described it as “just optics” and preparation for the 2024 parliamentary elections. In 2021, Bhagwat had stated publicly that Hindus and Muslims in the country should not be treated differently because of religion and that killing non-Hindus for cow slaughter was an act against Hinduism.’<sup>154</sup>

#### 13.3.11 Indian American Muslim Council (IAMC), in its report - Persecution of Religious Minorities in India: January - March 2023, 16 May 2023, noted:

‘Discrimination against Muslims in India appears to be aggressively expanding to the housing sector, with reports highlighting the difficulties Muslims face in renting or buying properties in certain areas. According to a report published on January 12th, by Fair Planet, a global human rights platform, Muslims are increasingly finding themselves excluded from certain neighborhoods and gated communities in the country. In some cases, landlords or real estate agents have reportedly refused to rent or sell properties to Muslims, while in other cases, Muslims have been asked to pay higher rents or deposits. Some gated communities and housing societies are accused of imposing discriminatory rules, such as banning the slaughter of animals or the wearing of traditional Muslim dress.’<sup>155</sup>

#### 13.3.12 The Indian American Muslim Council (IAMC), In its report - [Persecution of Religious Minorities in India: April - June 2023](#), 29 July 2023, cited incidents of persecution and discrimination against Muslims during the second quarter of 2023 (pages 2-7)<sup>156</sup>.

#### 13.3.13 On 10 August 2023 Deutsche Welle (DW) reported:

‘The northern state of Haryana - bordering on the Indian capital, New Delhi - has become the latest hot spot for religious violence in India after a hard-line

<sup>153</sup> USSD IRF, ‘[2022 Report on International Religious Freedom: India](#)’ (section II), 15 May 2023

<sup>154</sup> USSD IRF, ‘[2022 Report on International Religious Freedom: India](#)’ (section II), 15 May 2023

<sup>155</sup> IAMC, ‘[Persecution of Religious Minorities in India: January - March 2023](#)’ (page 19), 16 May 2023

<sup>156</sup> IAMC, ‘[Persecution of Religious Minorities in India: April - June 2023](#)’ (pages 2-7), 29 July 2023



Hindu group marched through the Muslim-dominated Nuh district in late July. Clashes in the state, which is ruled by Prime Minister Narendra Modi's Hindu-nationalist Bharatiya Janata Party (BJP), resulted in the death of six people and left more than 50 injured. The violence then spread to the city of Gurugram, where a mob set fire to a mosque and killed one of its leading imams. The rioters also torched shops and vehicles in a mostly Muslim working-class part of the city....The demands, coupled with the BJP's pursuit of a Hindu nationalist agenda, have alienated religious minorities, particularly Muslims. Critics have warned of a marked increase in hate speech and violence targeting the nation's 210 million Muslims in recent years.<sup>157</sup>

13.3.14 NBC News, in an article date 6 September 2023, reported: '... [T]housands of Muslims in the neighboring state of Haryana fled violence-stricken neighborhoods after seven people were killed during a religious Hindu procession organized by groups ideologically aligned with Modi's Bharatiya Janata Party. Muslim shops and homes were targeted as the communal clashes spread from the district of Nuh to the city of Gurugram'<sup>158</sup>

13.3.15 The Council on Foreign Relations (CFR), noted in an article dated 28 February 2024:

'Since India's independence, Muslims have faced systematic discrimination, prejudice, and violence, despite constitutional protections. ... Muslims have experienced discrimination in areas including [employment, education, and housing](#). Many encounter barriers to achieving political power and wealth, and lack access to health care and basic services. Moreover, they often struggle to secure justice after suffering discrimination, despite constitutional protections.'<sup>159</sup>

13.3.16 The CFR article further noted:

'Experts say that although anti-Muslim sentiment is rising among Hindus, it is wrong to assume all Hindus and all people who voted for the BJP are anti-Muslim. Both Muslims and Hindus, including activists, legal scholars, and students, have fought against the BJP's moves to undermine India's secularism. For example, after the Citizenship Amendment Act was passed, chief ministers of several states said they would not implement the law and nearly two thousand academics and professionals [signed a statement](#) condemning it for violating the spirit of the constitution.'<sup>160</sup>

(See [Hindu nationalism](#), [Conversion and 'forced' conversion](#), [Cow slaughter](#), Societal treatment of religious minorities - [Muslims](#), and [Citizenship Amendment Act \(CAA\)](#) for further information on how the Act has impacted upon societal treatment of Muslims).

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## 13.4 Sikhs

13.4.1 The Pew Research Center, findings of a survey conducted between late 2019 and early 2020 noted that of the nearly 30,000 face-to-face interviews,

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<sup>157</sup> DW, '[India's religious violence: What's behind raging clashes?](#)', 10 August 2023

<sup>158</sup> NBC News, '[Religious violence reaches India's capital as a Hindu mob ...](#)', 6 September 2023

<sup>159</sup> CFR, '[India's Muslims: An Increasingly Marginalized Population](#)', 28 February 2024

<sup>160</sup> CFR, '[India's Muslims: An Increasingly Marginalized Population](#)', 28 February 2024

1,782 people who identify as Sikh, 82 percent of Sikh respondents said they were "very free" to practice their religion<sup>161</sup>.

#### 13.4.2 According to a July 2022 article by Next Century Foundation

'...Since 1984 Sikhs have continued to be discriminated against because of their religious beliefs. India claims to be a land of unity in diversity but minorities are often underrepresented. ... The primary language spoken by Sikhs in India is Punjabi. However, the Indian government have failed to include Punjabi as a primary language in schools even within Punjab. In some schools, students face serious consequences such as fines for speaking Punjabi.'<sup>162</sup>

#### 13.4.3 The Sri Lanka Guardian article of 11 July 2023, noted:

'Despite constitutional guarantees of equality, Sikhs in India continue to face various challenges and forms of discrimination. While progress has been made in certain areas, significant disparities persist, affecting their socioeconomic status, political representation, and access to opportunities.

'Sikhs often encounter socioeconomic disparities, including lower literacy rates, limited access to quality education, and fewer employment opportunities. This can be attributed to various factors such as historical marginalization, unequal distribution of resources, and biases in hiring practices. Additionally, Sikhs have voiced concerns about underrepresentation in political offices and decision-making positions, which affects their ability to influence policies that impact their community.

'Sikhs in India have been subjected to targeted violence and hate crimes due to their religious identity. Instances of mob attacks, assault, and vandalism against Sikh individuals and their places of worship have been reported. These acts of violence perpetuate a climate of fear, insecurity, and victimhood among the Sikh community...

'Sikhs often encounter systemic discrimination in various spheres of life, including education, employment, and public services. They may face hurdles in accessing quality education, with limited availability of Sikh history and culture in curricula. In the job market, Sikhs may experience bias and unequal treatment, including religious discrimination. Moreover, Sikhs have reported instances of discriminatory practices in public services, such as ... identification procedures.'<sup>163</sup>

#### 13.4.4 The USSD IRF Report 2022, noted: 'According to media reports, a crowd attacked a group of six Sikh pilgrims from Punjab in Bihar on January 16 because they refused to donate money for the construction of a Hindu temple. Bihar police later detained five individuals for questioning. Police said the attackers stopped the Sikhs, then pulled the driver from their truck and threw stones at the Sikhs when they refused to donate. Five Sikh individuals were injured in the incident.'<sup>164</sup>

#### 13.4.5 For information about Sikh separatism and the Khalistan movement see, the

<sup>161</sup> Sahgal, N, and others, PRC, '[Religion in India: Tolerance and ...](#)' (pages 57 & 221), 29 June 2021

<sup>162</sup> Next Century Foundation, '[The Sikhs in Modern India](#)', 13 July 2022

<sup>163</sup> Sri Lanka Guardian, '[Marginalization and Victimhood: The Plight of Sikhs in ...](#)', 11 July 2023

<sup>164</sup> USSD IRF, '[2022 Report on International Religious Freedom: India](#)' (section III), 15 May 2023

Country Policy and Information Note, [India: Political parties and affiliation](#)

(See also [State treatment of religious minorities – Sikhs](#))

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Section updated: 14 March 2024

## 14. Hindu nationalism

### 14.1 What is Hindu nationalism?

14.1.1 Carnegie Endowment for International Peace, a foreign policy international affairs think-tank headquartered in the U.S., noted in its report - *The BJP in Power: Indian Democracy and Religious Nationalism*, 4 April 2019:

‘The Hindu nationalist vision of Indian democracy differs markedly from its secular counterpart. It begins with the notion that secular nationalism is a fraudulent foreign imposition, perpetrated by elites associated with the Congress Party at the time of independence, an imposition that obscures India’s true Hindu identity and associated cultural sensibilities. Proponents of Hindu nationalism believe that Hinduism - not the precarious balancing of all ethnic and religious communities residing in India - is the ultimate source of the country’s identity.’<sup>165</sup>

14.1.2 In September 2022, *The Guardian*, published an article describing Hindu Nationalism:

‘Hindu nationalism is a political ideology that dates back to the 19th century. It encompassed a broad range of groups but at its core is a belief that Indian national identity and culture are inseparable from the Hindu religion...

‘Hindutva ... meaning “Hindu-ness” – is the predominant form of Hindu nationalism in India. Hindutva is the belief in the hegemony of Hinduism in India and the establishment of the country as a Hindu, rather than secular, state. Hindus are viewed more as an ethnic, rather than religious, group. The Hindutva ideology has been associated with rightwing extremism and fascism due to the purist racial elements of the movement and its association with intolerance of minorities, in particular anti-Muslim sentiment and violence in India, which is 80% Hindu and 14% Muslim...’<sup>166</sup>

14.1.3 Bertelsmann Stiftung’s, *BTI 2022 Country Report – India*, noted:

‘The main and most dangerous conflict line has been the one between Hindus and Muslims. The increased room to maneuver for Hindu-nationalist groups under the Modi government has led to an increase in violence and intimidation vis-à-vis the Muslim minority, and to the establishment of a majoritarian Hindu discourse. Things have worsened following the landslide election victory of the BJP in 2019, which has led to the further polarization of the population along religious cleavages.’<sup>167</sup>

14.1.4 *Time Magazine* (online), reporting on 6 October 2023, noted: ‘Modi wants India to become a Hindu nation, in which India’s religious minorities (about 20% of the population) are second-class citizens and Muslims especially

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<sup>165</sup> Carnegie Endowment for International Peace, ‘[The BJP in Power: Indian ...](#)’ (page 8), 4 April 2019

<sup>166</sup> *The Guardian*, ‘[What is Hindu nationalism and how does it relate to ...](#)’, 20 September 2022

<sup>167</sup> BTI, ‘[BTI 2022 Country Report – India](#)’ (page 30), 24 February 2022

(about 14% of Indians) are compelled to accept increasing majoritarian violence.<sup>168</sup>

- 14.1.5 For information about how the BJP links to Hindu nationalism, see the Country Policy and Information Note, [India: Political parties and affiliation](#)

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## 14.2 Rashtriya Swayamsevak Sangha (RSS)

- 14.2.1 The Guardian noted: 'At the heart of the Hindu nationalist movement in India is the Rashtriya Swayamsevak Sangh (RSS), an all-male Hindu nationalist volunteer group, often described as a paramilitary organisation, formed in the 1920s.'<sup>169</sup>

- 14.2.2 Encyclopaedia Britannica, in its description of 'Rashtriya Swayamsevak Sangh - Hindu organization, dated 13 October 2023, stated:

'Rashtriya Swayamsevak Sangh (RSS), (Hindi: "National Volunteer Organization") also called Rashtriya Seva Sangh, organization founded in 1925 by Keshav Baliram Hedgewar (1889–1940), a physician living in the [Maharashtra](#) region of India, as part of the movement against British rule and as a response to rioting between Hindus and Muslims...

'The RSS presents itself as a cultural, not a political, organization that nevertheless advocates a Hindu nationalistic agenda under the banner of hindutva, or "Hindu-ness." The group is structured hierarchically under the guidance of a national leader, while regional leaders are charged with overseeing the local branches. A major emphasis is placed on dedication and discipline, both mental and physical, as a means to restore strength, valor, and courage in Hindu youth and to foster unity among Hindus of all castes and classes. Paramilitary training and daily exercise and drills are part of this discipline.'<sup>170</sup>

- 14.2.3 A Reuters article of March 2018, stated: 'The RSS asserts that ancestors of all people of Indian origin - including 172 million Muslims - were Hindu and that they must accept their common ancestry as part of Bharat Mata, or Mother India. Modi has been a member of the RSS since childhood.'<sup>171</sup>

- 14.2.4 In May 2019, National Public Radio (NPR), reported:

'The RSS, founded nearly 100 years ago, has profoundly shaped Indian society and politics — and Modi himself. ... Led since 2009 by longtime stalwart Mohan Bhagwat, the RSS is India's most prominent proponent of Hindutva — Hindu-ness and the idea that India should be a "Hindu nation." ... The constitution defines India as a secular country. ... The RSS and many of its members want to change that. The group's mission statement describes it as "firmly rooted in genuine nationalism" and decries an "erosion of the nation's integrity in the name of secularism" and "endless appeasement of the Muslim population."'<sup>172</sup>

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<sup>168</sup> Time Magazine, '[How India's Hindu Nationalists Are Weaponizing History ...](#)', 6 October 2023

<sup>169</sup> The Guardian, '[What is Hindu nationalism and how does it relate to ...](#)', 20 September 2022

<sup>170</sup> The Editors, Encyclopaedia Britannica, '[Rashtriya Swayamsevak Sangh ...](#)', 13 October 2023

<sup>171</sup> Reuters, '[By rewriting history, Hindu nationalists aim to assert their dominance ...](#)', 6 March 2018

<sup>172</sup> NPR, '[Faith And Power: How Hindu Nationalism Is Changing India](#)', 3 May 2019

14.2.5 According to an article published by The Guardian in February 2020:

'The group, the Akhil Bharatiya Vidya Parishad (ABVP), is the youth wing of the Rashtriya Swayamsevak Sangh (RSS). ... [T]he RSS is the holding company of Hindu supremacism: of Hindutva, as it's called. Given its role and its size, it is difficult to find an analogue for the RSS anywhere in the world. ... The RSS has appointed itself as both the arbiter of theological meaning and the architect of a Hindu nation-state. It has at least 4 million volunteers, who swear oaths of allegiance and take part in quasi-military drills.'<sup>173</sup>

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### 14.3 Attacks perpetrated by Hindu Nationalists

14.3.1 In September 2021, the BBC reported:

'Unprovoked attacks on Muslims by Hindu mobs have become routine in India... . Last month, a video that went viral on social media showed a terrified little girl clinging to her Muslim father as a Hindu mob assaulted him. ... The man and his daughter were eventually rescued by the police. Three men arrested for the attack were freed on bail a day later. ... A few days later, another viral video surfaced showing a Muslim bangle-seller being slapped, kicked and punched by a Hindu mob in Indore, a city in the central state of Madhya Pradesh. The attackers could be heard abusing Tasleem Ali and telling him to stay away from Hindu areas in future...

'The two attacks were among several instances of anti-Muslim violence in August, but the last month by no means was cruellest for India's biggest religious minority group, with a population of more than 200 million.'<sup>174</sup>

14.3.2 The New Arab, an English-language news website headquartered in London, focusing on Middle East and North Africa, reporting on 8 July 2022, noted: 'Violence against Muslims and other non-Hindu groups has become an almost daily occurrence in India. Radical Hindus have harassed, beaten, or killed hundreds of non-Hindus, especially Muslims, with few consequences. They have been shielded by a government that has consistently made life difficult for India's Muslims...'<sup>175</sup>

14.3.3 The New Arab further reported:

'Over the past months, right-wing groups have attempted to stop Muslim prayers at historic mosques – such as the [Gyanvapi masjid](#) in Varanasi, PM Modi's constituency – claiming Hindu relics that were captured by Muslim rulers are hidden there.

'In May, right-wing groups [set fire to](#) a mosque in Madhya Pradesh, and conducted an [arms training workshop](#) at an educational institute in Karnataka, home to India's 'Silicon Valley'.

'Last December, Al Jazeera [reported](#) 42 instances of attacks against Christians in the state of Karnataka in 2021.

'In February 2020, violent Hindu mobs rampaged through Muslim

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<sup>173</sup> The Guardian, '[How Hindu supremacists are tearing India apart](#)', 20 February 2020

<sup>174</sup> BBC, '[Beaten and humiliated by Hindu mobs for being a Muslim in India](#)', 2 September 2021

<sup>175</sup> The New Arab, '[Explainer: The dangers of India's Hindu nationalism](#)', 8 July 2022

neighbourhoods [in Delhi](#) after being encouraged by a [BJP lawmaker](#). 53 people - 38 Muslim victims and 15 Hindus - were killed.

‘Over the last few years, Hindu activists, including some regional governments, spreading the dangerous love-jihad conspiracy theory have attacked Muslim men, falsely claiming that Muslims attempt to marry Hindu women in order to convert them to Islam.’<sup>176</sup>

14.3.4 The USCIRF, Country Update on Religious Freedom Conditions in India, November 2022, noted: ‘USCIRF has received credible reports that adherents of these hardline groups threaten and use violence, including [sexual assault](#), to punish or subdue religious communities, including [Dalit Christians](#) and Muslims, who are often discriminated against both for converting and being “lower-caste.”’<sup>177</sup>

14.3.5 Time Magazine (online), reporting on 6 October 2023, noted:

‘India used to be a secular democracy, but its current leader, Narendra Modi of the ruling Bharatiya Janata Party (BJP), advances a radically different vision. ... [S]tories of terrorizing Indian Muslims have become depressingly common in Modi’s India, with human rights groups documenting rising violence with each passing year. International groups, such as Freedom House and V-Dem, consider India only “partly free” and an “electoral autocracy” owing to the sharp decline of human and civil rights.’<sup>178</sup>

14.3.6 Morning Star News, an independent news service focusing on persecution of Christians, reported on 3 November 2021:

‘[A] mob of about 500 Hindu nationalists on Oct. 17 [2021] descended on the Christians gathered for dinner in Oteband village, in Chhattisgarh state’s Durg District, searching their belongings, harassing them and physically assaulting some of them, witnesses said. Videos on social media showed the mob forcing the church members to line up as they searched their belongings and clothes, including women’s undergarments. ... The mob led by Hindu extremists also vandalized their vehicles, witnesses said.’<sup>179</sup>

14.3.7 The USCIRF 2023 Annual Report, noted: ‘In January [2022], a Hindu nationalist group [allegedly beat](#) a Muslim man for traveling with a Hindu woman in Mangalore. In March, a Hindu nationalist group attacked a [Christian](#) youth leader in Karnataka for sharing about Christianity outside a college. Social media and news channels served as a platform for Hindu nationalist groups to stoke tensions and encourage violence toward minority groups.’<sup>180</sup>

14.3.8 The Diplomat, reporting on 27 April 2023, noted:

‘March 30, 2023, a day that could have been a celebration of India’s plurality and religious diversity, was instead marred by communal violence and animosity. With Ram Navami, the Hindu festival that celebrates the birth of Lord Ram, taking place this year in the Islamic holy month of Ramzan

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<sup>176</sup> The New Arab, ‘[Explainer: The dangers of India’s Hindu nationalism](#)’, 8 July 2022

<sup>177</sup> USCIRF, ‘[Country Update on Religious Freedom Conditions in India](#)’ (page 5), November 2022

<sup>178</sup> Time Magazine, ‘[How India’s Hindu Nationalists Are Weaponizing History ...](#)’, 6 October 2023

<sup>179</sup> Morning Star News, ‘[Hindu Nationalist Mob Holds Christians against their Will](#)’, 3 November 2021

<sup>180</sup> USCIRF, ‘[2023 Annual Report](#)’, May 2023

(Ramadan), violent clashes erupted in at least eight states across the country resulting in deaths, multiple injuries, and immense damage to property. All the incidents of communal clashes had their genesis in the religious processions carried out by organizations affiliated to the Rashtriya Swayamsevak Sangh (RSS), which passed through neighborhoods inhabited by the Muslim community. The intensity of religious polarization and violence mirrored the events of 2022, where the violence was even more widespread.<sup>181</sup>

#### 14.3.9 Reporting on the events of the Ram Navami festival, The Independent noted:

‘Fresh violence erupted on Friday [31 March 2023] in West Bengal’s western Howrah city which saw rioting and arson a day earlier. Dozens of vehicles were set on fire, shops were ransacked and two groups pelted stones at each other after stones were allegedly pelted at a Ram Navami procession. The procession was passing through the Kazipara area of the city when stones were pelted from the roofs of houses, [New Delhi Television] NDTV reported. Around 36 people have been arrested and stones were pelted from both sides Shibpur, a senior police official told Indian Express...

‘In Maharashtra [a state in western India], 20 people were arrested and a case was registered against more than 300 unidentified people in connection to clashes in Mumbai’s Malvani area on Thursday. Mumbai police baton-charged at violent protesters on Thursday night in Malwani to disperse the communally-charged crowd...

‘Violence was also reported in parts of Aurangabad, Malad and Jalgaon where people pelted stones and set vehicles on fire.

‘A 51-year-old man, identified as Shaikh Muniruddin, died after suffering injuries during clashes in Aurangabad’s Kiradpura area, reported India Today. A scuffle broke out between two groups in front of a temple...

‘At least 1,000 people from the hardline Hindu groups Bajrangdal and Akhil Bharat Hindu Yuva Morcha took out a procession, waving saffron flags and chanting slogans despite Delhi police denying permission in capital’s Jahangirpuri area. The area was at the centre of largescale communal violence last year in April when two groups clashed and in the aftermath of it, properties were bulldozed in the Muslim-majority area. The police said no one has been arrested and no case has been registered as there was no violence.<sup>182</sup>

#### 14.3.10 The IAMC report of 16 May 2023, noted:

‘On January 2<sup>nd</sup> [2023], Hindu supremacists vandalized a church and attacked tribal Christian families in the Narayanpur district of Chhattisgarh. A statue of the Virgin Mary was smashed with a wooden plank. A police officer was also attacked and left bleeding. Videos of the incident went viral, leading to police complaints filed against 40 people and the arrest of 11 individuals. This attack was preceded by the forced conversion of almost a thousand Christians from marginalized tribal communities to Hinduism in December 2022, using violent methods such as physical assault, threats of

<sup>181</sup> The Diplomat, ‘[How India’s Ram Navami Processions Are Used to Enflame ...](#)’, 27 April 2023

<sup>182</sup> Independent, ‘[Violence breaks out on day of Hindu festival processions in ...](#)’, 31 March 2023

displacement, and death. Christians in the area have been subjected to a series of ongoing attacks by Hindu extremists, including mob beatings, evictions, sexual assault, church vandalism, and property theft.<sup>183</sup>

(See [Conversion and 'forced' conversion](#) and [Societal treatment of religious minorities](#))

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Section updated: 14 March 2024

## 15. Scheduled Castes and Tribes

### 15.1 India's caste system

15.1.1 The Pew Research Center, findings of a survey conducted between late 2019 and early 2020 noted:

'The caste system is an ancient social hierarchy based on occupation and economic status. People are born into a particular caste and tend to keep many aspects of their social life within its boundaries, including whom they marry. Even though the system's origins are in historical Hindu writings, today Indians nearly universally identify with a caste, regardless of whether they are Hindu, Muslim, Christian, Sikh, Buddhist or Jain.

'Overall, the majority of Indian adults say they are a member of a Scheduled Caste (SC) – often referred to as Dalits (25%) – Scheduled Tribe (ST) (9%) or Other Backward Class (OBC) (35%).<sup>184</sup>

15.1.2 CNN, reporting in April 2020 on India's caste system, noted:

'India's caste system was officially abolished in 1950, but the 2,000-year-old social hierarchy imposed on people by birth still exists in many aspects of life. The caste system categorizes Hindus at birth, defining their place in society, what jobs they can do and who they can marry. ... Millions of people, about 25% of India's population of 1.3 billion people, are grouped under the scheduled castes (Dalits) and scheduled tribes (Adivasis) in India's constitution. Adivasis are indigenous Indians who have been socially and economically marginalized for centuries.<sup>185</sup>

15.1.3 The NHRC - India report of 2021, stated: 'The Scheduled Castes (SCs) and Scheduled Tribes (STs) are officially designated groups of historically disadvantaged or marginalized people in India. As per the United Nations, "In the absence of a formal definition, the existence of a minority group can be assessed using objective and subjective criteria ... [which] focus on the shared characteristics of the group such as ethnicity, national origin, culture, language or religion.'<sup>186</sup>

15.1.4 Al Jazeera reported in an article dated September 2022: 'India's domestic workers in general face rampant caste-based discrimination and even violence. Employers often restrict workers' access to kitchens, washrooms, elevators, and even their places of worship. There are separate utensils for

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<sup>183</sup> IAMC, '[Persecution of Religious Minorities in India: January - March 2023](#)' (page 24), 16 May 2023

<sup>184</sup> Sahgal, N, and others, PRC, '[Religion in India: Tolerance and ...](#)' (page 25), 29 June 2021

<sup>185</sup> CNN, '[Under India's caste system, Dalits are considered untouchable. The ...](#)', 16 April 2020

<sup>186</sup> NHRC, '[Constitutional and Civil Rights to Protect Scheduled Castes ...](#)' (page 1), 2021



the workers to eat with.<sup>187</sup>

15.1.5 The DFAT Country Report 2023 noted that:

‘Hindu tradition divides society into a hierarchy of hereditary caste groups associated with particular occupations. Four main groups exist within the system’s hierarchy: Brahmin priests, intellectuals and teachers; Kshatriya warriors and rulers; Vaishya farmers, traders and merchants; and Shudra labourers. These main groups are further divided into about 3,000 castes (with various ways to order them hierarchically) and about 25,000 sub-castes, each based on their specific occupation.

‘A group known as “Dalits” (a term that means “broken” or “oppressed”, sometimes referred to as “untouchables”, and officially known as “Scheduled Castes”) falls outside the caste structure. Dalits were historically associated with work seen as less desirable, including work involving cleaning or waste, and traditional taboos existed against members of the four main caste divisions touching them. Many Dalits continue to work as sanitation workers, manual scavengers, cleaners of drains and sewers, garbage collectors and road sweepers, and many of those are internal migrants who have come from rural areas to live in city slums in search of work.<sup>188</sup>

15.1.6 DFAT further noted: ‘In theory, STs are outside the caste system but over time (and noting significant diversity between different groups) there are some that are now part of the caste system.<sup>189</sup>

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## 15.2 Legislation

15.2.1 Article 15 of the Constitution outlines the legal basis concerning Prohibition of discrimination on grounds of religion, race, caste, sex or place of birth:

‘(1) The State shall not discriminate against any citizen on grounds only of religion, race, caste, sex, place of birth or any of them.

‘(2) No citizen shall, on grounds only of religion, race, caste, sex, place of birth or any of them, be subject to any disability, liability, restriction or condition with regard to—

‘(a) access to shops, public restaurants, hotels and places of public entertainment; or

‘(b) the use of wells, tanks, bathing ghats, roads and places of public resort maintained wholly or partly out of State funds or dedicated to the use of the general public.

‘(3) Nothing in this article shall prevent the State from making any special provision for women and children.

‘(4) Nothing in this article or in clause (2) of article 29 shall prevent the State from making any special provision for the advancement of any socially and educationally backward classes of citizens or for the Scheduled Castes and the Scheduled Tribes.

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<sup>187</sup> Al Jazeera, ‘[Muslim domestic workers in India changing names out of fear](#)’, 8 September 2022

<sup>188</sup> DFAT, ‘[DFAT Country Information Report India](#)’ (paragraph 3.144), 29 September 2023

<sup>189</sup> DFAT, ‘[DFAT Country Information Report India](#)’ (paragraph 3.5), 29 September 2023

(5) Nothing in this article or in sub-clause (g) of clause (1) of article 19 shall prevent the State from making any special provision, by law, for the advancement of any socially and educationally backward classes of citizens or for the Scheduled Castes or the Scheduled Tribes in so far as such special provisions relate to their admission to educational institutions including private educational institutions, whether aided or unaided by the State, other than the minority educational institutions referred to in clause (1) of article 30.<sup>190</sup>

15.2.2 Article 16 of the Constitution allows for equality of opportunity in matters of public employment:

(2) No citizen shall, on grounds only of religion, race, caste, sex, descent, place of birth, residence or any of them, be ineligible for, or discriminated against in respect of, any employment or office under the State.<sup>191</sup>

15.2.3 The USSD IRF Report 2022 noted:

‘The constitution establishes the legal basis for preferential public benefit programs for Scheduled Caste or Scheduled Tribe communities and members of the “other backward classes,” a category for groups deemed to be socially and educationally disadvantaged. The constitution specifies that only Hindus, Sikhs, or Buddhists are eligible to be deemed members of a Scheduled Caste. As a result, Christians and Muslims qualify for benefits only if deemed to be members of “backward” classes due to their social and economic status. ... The law also removes state benefits from any member of the Scheduled Tribes or Scheduled Castes who converts to another religion.’<sup>192</sup>

15.2.4 The NHRC - India report of 2021, stated: ‘The Constitution of India recognizes certain castes, races and tribal groups as Scheduled Castes and Scheduled Tribes under Article 341 and 342. Scheduled Castes are those castes/communities who suffered from the age-old practice of untouchability, who are subjected to geographical isolation and need special consideration for safeguarding their interests.’<sup>193</sup>

15.2.5 The NHRC - India report of 2021, further stated: ‘This gave rise to the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 or the SC/ST (PoA) Act. It is a special law which deals with offences specifically committed against members of the SC/ST community in India – defined as “atrocities”. It extends to the whole of India. The law exists to register and prosecute a range of discriminatory actions against caste and tribal identity and to provide legal aid to the victims.’<sup>194</sup>

15.2.6 For details of the Act see [The Scheduled Castes and the Scheduled Tribes \(Prevention of Atrocities\) Act, 1989](#)<sup>195</sup>

15.2.7 South Asia Collective, a group of human rights activists and organisations, formed in 2015 to document the condition of South Asia's minorities, in its

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<sup>190</sup> Gol-MoLJ, ‘[Constitution of India As on May 2022](#)’ (Article 15 pages 6-7)

<sup>191</sup> Gol-MoLJ, ‘[Constitution of India As on May 2022](#)’ (Article 15 page 8)

<sup>192</sup> USSD IRF, ‘[2022 Report on International Religious Freedom: India](#)’ (section II), 15 May 2023

<sup>193</sup> NHRC, ‘[Constitutional and Civil Rights to Protect Scheduled Castes ...](#)’ (page 2), 2021

<sup>194</sup> NHRC, ‘[Constitutional and Civil Rights to Protect Scheduled Castes ...](#)’ (page 11), 2021

<sup>195</sup> Citizens’ Vigilance and Monitoring Committee, ‘[The Scheduled Castes and the Scheduled ...](#)’

South Asia State of Minorities Report 2022: Weakening Human Rights Commitments and Its Impact on Minorities, 14 February 2023, stated:

‘The Constitution enumerates the various “untouchable”/ Dalit caste and indigenous tribal groups that make up the Scheduled Castes (Art. 341) and Scheduled Tribes (Art. 342), respectively, who are guaranteed various forms of affirmative action benefits, and also have the protection of a specific law—the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989—that penalises discrimination and hate crimes against them. A Presidential Order in 1950, however, restricted inclusion in the Scheduled Castes list only to Hindu groups. There is no such restriction on inclusion to the Scheduled Tribes list. ... Muslims and Christians (apart from those who qualify for Scheduled Tribe status) are also denied the protection of the non-discrimination provisions of the 1989 Act.’<sup>196</sup>

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### 15.3 Scheduled Castes

15.3.1 The National Human Rights Commission (NHRC - India), in its report - Constitutional and Civil Rights to Protect Scheduled Castes and Scheduled Tribes from Atrocities and The Law against Witch Hunting, 2021, stated:

‘Scheduled castes are those castes which are placed on a low level in the religious hierarchy. For ages these people have been treated as untouchables and have been subjected to persecution because of their caste.

‘Scheduled Castes are those castes named in the Scheduled Castes order of the Government of India, ... a person is considered to be a member of a Scheduled Caste, if he or she belongs to a caste which, under the Constitution, has been declared to be a Scheduled Caste for the area, for which he or she is a resident. ... The purpose of classification of castes as Scheduled Castes is to safeguard the interest of those who suffer from caste discrimination and to provide for them special concessions to help them catch up with the rest of the population in the process of development.’<sup>197</sup>

15.3.2 The Office of the United Nations High Commissioner for Human Rights (OHCHR), reporting in April 2021, noted: ‘The Dalit, commonly known as the “untouchables” in India and other South Asian countries, are born into a lifetime of marginalisation, exclusion and human rights violations. They are strictly “ranked” – based on their descent – and are thereby placed at the lowest echelon of society’s classes.’<sup>198</sup>

15.3.3 The OHCHR article of April 2021, noted:

‘Injustice directed at the Dalit causes profound trauma and suffering across generations. Stigma follows an individual from birth until death, affecting all aspects of life from education, housing, work, access to justice and political participation. Women and girls are often victims of sexual violence, trafficking and are especially vulnerable to early and forced marriage,

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<sup>196</sup> South Asia Collective, ‘[South Asia State of Minorities Report ...](#)’ (pages 69-70), 14 February 2023

<sup>197</sup> NHRC, ‘[Constitutional and Civil Rights to Protect Scheduled Castes ...](#)’ (page 2), 2021

<sup>198</sup> OHCHR, ‘[The Dalit: Born into a life of discrimination and stigma](#)’, 19 April 2021

bonded labour and harmful cultural practices...

'Violence against the Dalit is a tragic, daily occurrence. According to the National Crime Records Bureau of India, some 45,935 cases of violence are recorded each year.

"In India, around ten Dalit women are raped each day," says Pallical [of the National Campaign on Dalit Human Rights]. "The perpetrators enjoy total impunity, and have a lot of political support. Because of this, we are unable to break the chain of violence and oppression."<sup>199</sup>

#### 15.3.4 Minority Rights Group International (MRGI), reported in its undated description of Dalits:

'Around 80 per cent of Dalits live in rural areas. Economic exploitation remains their most acute problem. They are almost all marginal farmers or landless labourers. Many are in debt and are obliged to work off their debts as bonded labourers, despite the fact that this practice was abolished by law in 1976...

'Dalit women have been particularly badly affected in recent times. They are discriminated against not only because of their sex but also because of religious, social and cultural structures which have given them the lowest position in the social hierarchy. The stigma of "untouchability" exposes them to an even higher risk of abuse and exploitation. For instance, while sexual violence is a problem faced by women across India, encouraged in part by the frequent failure of the judicial system to secure justice for its victims, the situation is especially challenging for Dalit girls and women due to the added discrimination they face: the International Dalit Solidarity Network (IDSN) reports that less than 2 per cent of rape cases against Dalit women result in convictions, compared to around 25 per cent against women in India generally.

'In areas such as health, education, housing, employment and wages, application of legal rights, decision-making and political participation, and rural development, Dalit women have been almost entirely excluded from development policies and programmes. The national population policy, which is geared to population control and in the process targets Dalit and other women for family planning programmes, does so on the grounds that they are the cause of the population 'explosion' and of poverty. No change has been made in the attitudes of society towards these women and they continue to be oppressed, marginalized, violated and all but forgotten.

'There are, however, growing numbers employed in relatively secure jobs in areas such as public service, banking and the railways, and sometimes in private industry. Those resident in the cities have some access to secondary and higher education, and a growing middle class has evolved within the Dalit community.'<sup>200</sup>

#### 15.3.5 The Pew Research Centre survey conducted between late 2019 and early 2020, which comprised of 29,999 face-to-face interviews nationally. Pew produced a map which shows the percentage of SCs who said in the 12

<sup>199</sup> OHCHR, '[The Dalit: Born into a life of discrimination and stigma](#)', 19 April 2021

<sup>200</sup> MRGI, '[India: Dalits](#)', undated

months preceding the survey they had personally faced discrimination because of their caste. The map shows where the respondents were located. Reported discrimination was higher in the South (30%) and North East (38%) of the country. The lowest reported discrimination was in the West (8%) and East (14%). It is not clear from the survey whether respondents were referring to official (state) or societal discrimination or both<sup>201</sup>. To see the areas Pew Research considered and their map illustrating their findings see [here](#)

#### 15.3.6 The Pew Research Center noted:

‘Although caste discrimination may not be perceived as widespread nationally, caste remains a potent factor in Indian society. Most Indians from other castes say they would be willing to have someone belonging to a Scheduled Caste as a neighbor (72%). But a similarly large majority of Indians overall (70%) say that most or all of their close friends share their caste. And Indians tend to object to marriages across caste lines, much as they object to interreligious marriages.’<sup>202</sup>

#### 15.3.7 NBC News reported in September 2020:

‘India has a special statute to deal with crimes against Dalits. Parliament passed the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act in 1989. Its existence is an acknowledgment that Dalits suffer disproportionate violence and hatred, and the law targets crimes against the group. It also allows for speedy trials, special courts and strict punishment. Prasad's case has been registered under this act. But less than half the cases go to court and the conviction rate has been as low as 15 percent, according to government data’<sup>203</sup>

#### 15.3.8 The Indian American Muslim Council (IAMC), in its Persecution as State Policy Report on Human Rights and Religious Freedom in India – 2023, 1 March 2023, noted:

‘Previously referred to as "untouchables", Dalits were excluded in the Varna system (caste system) of Hinduism. They are officially termed as Scheduled Castes as per the Constitution of India. The Scheduled Caste communities can be found across India and comprise 16.6% [approximately 200 million] of India's population according to the 2011 census. However, the true figures would be much higher as the Dalit Christians and Dalit Muslims are not included in the numbers as they are not recognized as Dalits.’<sup>204</sup>

#### 15.3.9 The IAMC Report 2023 further noted:

‘The Dalits ... have faced oppression at the hands of Caste Hindus who exhibited superiority over them. Traditionally, the community has had the lowest social status in the Hindu social structure, which has put them at a historical disadvantage and has disempowered them. Post-Independence in 1947, the reservation system (affirmative action) was introduced to empower the abilities of Dalits to obtain jobs, education, and Political representation.

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<sup>201</sup> Sahgal, N, and others, PRC, ‘[Religion in India: Tolerance and ...](#)’ (page 28), 29 June 2021

<sup>202</sup> Sahgal, N, and others, PRC, ‘[Religion in India: Tolerance and ...](#)’ (page 29), 29 June 2021

<sup>203</sup> NBC News, ‘[In India, Dalits still feel bottom of the caste ladder](#)’, 13 September 2020

<sup>204</sup> IAMC, ‘[Persecution as State Policy Report on Human Rights and ...](#)’ (page 75), 1 March 2023

The Dalit community has not just faced the brunt of a violent caste hierarchy but has also been seen as lesser humans, which legitimizes the oppression and discrimination they are subjected to...

'The National Crime Report Bureau of India (NCRB) records crime/atrocities against Scheduled Castes and Tribes. In 2021, the crime/atrocities increased by 1.2% with 50,900 recorded cases as opposed to 50,291 cases in 2020. Similarly, crime/ atrocities against Scheduled Tribes witnessed an increase of 6.4% with 8,802 cases as opposed to 8,272 cases in 2020. The NCRB report of 2019 on crimes/atrocities against Adivasis and Dalits highlights that a major proportion of crimes committed against these communities involves crimes against women. Crimes against SC/ST shows an upward trend if one analyses the existing reports and data available...

'Hate crimes against Adivasis and Dalits persist and are a real predicament despite constitutional prohibition of discrimination against them and legislations.'<sup>205</sup>

15.3.10 The National Crime Records Bureau (NCRB), India, reported in its crime statistics for 2022: 'A total of 57,582 cases were registered for committing crime against Scheduled Castes (SCs), showing an increase of 13.1% over 2021 (50,900 cases). Crime rate registered showed an increase from 25.3 in 2021 to 28.6 in 2022. ... In Crime head-wise cases, [the] highest number of cases (18,428, 32.0%) were registered under simple hurt followed by cases under Criminal Intimidation with 9.2% (5,274 cases) and SC/ST (Prevention of Atrocities) Act with 8.2% (4,703 cases).'206

15.3.11 The below chart shows the NCRB crime data on cases reported, investigated, and charged on crimes against SCs under the SC/ST (Prevention of Atrocities) Act for years 2021<sup>207</sup> and 2022<sup>208</sup>.

Year	Reported	Investigated (Including some cases from previous year)	Charged (Including some cases from previous year)
2021	45,610	62,807	37,170
2022	52,866	69,597	42,026

15.3.12 The below chart shows the NCRB crime data on cases sent for trial, convictions, cases discharged and acquittals, against SCs under the SC/ST (Prevention of Atrocities) Act for years for 2021<sup>209</sup> and 2022<sup>210</sup>.

Year	Cases sent for trial (Including some cases from previous year)	Cases convicted (Including some cases from previous year)	Cases discharged	Cases acquitted
2021	214,544	2,848	207	1,117

<sup>205</sup> IAMC, '[Persecution as State Policy Report on Human ...](#)' (pages 75, 77 & 78), 1 March 2023

<sup>206</sup> Gol NCRB, '[Crime in India 2022](#)' (page xiii), no date

<sup>207</sup> Gol NCRB, '[Crime in India 2021](#)' (pages 555, 557), no date

<sup>208</sup> Gol NCRB, '[Crime in India 2022](#)' (pages 555, 557), no date

<sup>209</sup> Gol NCRB, '[Crime in India 2021](#)' (pages 567, 569), no date

<sup>210</sup> Gol NCRB, '[Crime in India 2022](#)' (pages 567, 569), no date

2022	248,012	4,876	639	8,619
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### 15.3.13 The IAMC Report 2023 additionally noted:

'In December 2022, A minor Dalit girl was gang raped multiple times at a coffee estate in Karnataka's Hassan district by five men. A Dalit family of six was attacked in Ukeri village in Alwar district of Rajasthan. The family included three women who were beaten with sticks and rods. A Dalit youth, 18 years old, was allegedly abused and beaten for touching food at a marriage ceremony in Wazirganj, Uttar Pradesh. Six Dalit students in the fourth grade were allegedly forced to clean [a] water tank and toilet by headmistress in Perundurai, Tamil Nadu.

'In November 2022, after a Dalit woman drank water from a tank, upper caste residents of Heggotara Village, Karnataka used 'cow urine' to purify the tank.

'In October 2022. Sixteen members of the Dalit community were confined for days and assaulted, one of the survivors, Arpitha, lost her baby after being assaulted in Chikkamagaluru, Karnataka.

'In September 2022, A Dalit teen, Nikhit Dohre, died after facing a brutal assault by his teacher in Auraiya, Uttar Pradesh. In another brutal violation, two Dalit sisters were raped, strangulated, and hanged to a tree in Lakhimpur, Uttar Pradesh. Several violations have been reported from Yogi Adityanath's state, Uttar Pradesh. Apart from the ones mentioned above, additionally a Dalit minor was also beaten up by his headmaster after he touched the headmaster's bike in Balia, Uttar Pradesh. A Dalit girl suffered severe burns on her arm after a headmaster threw a hot meal on her in Barabanki, Uttar Pradesh.

'A Dalit teacher of Sanskrit alleged discrimination by principal and uppercaste teachers in Barabanki, Uttar Pradesh. In August 2022, A 9-year-old Dalit boy died after being beaten by his teacher for touching a pot of water in Surana village, Rajasthan. In Uttara Pradesh's Firozabad, an 8-year-old Dalit girl was physically abused by her teacher who broke her hand.

'The spate of violence has seen a similar trend against Adivasis. In December 2022, Christian Tribals were forcefully converted to Hinduism by vigilante groups, they were also assaulted and displaced by the same groups, in Kondagaon, Chhattisgarh. In November 2022, a 46-yr-old Tribal man was lynched for drawing water from tube well in Jodhpur, Rajasthan. In Anjedbeda village, Chattisgarh tribals from Chaibasa were allegedly assaulted during Naxal search operation by paramilitary forces. In October 2022, Senior Police officials physically assaulted and verbally abused an Adivasi Christian cop in Sukma, Chhattisgarh.

'In August 2022, an Adivasi chieftain was attacked and assaulted for objecting towards the sale of marijuana in Kulamankuzhi, Kerala. In May 2022, two Adivasi men were lynched on suspicion of killing a cow in Seoni, Madhya Pradesh. In April 2022, forty Malasar Tribal families were evicted from their ancestral land in Navamalai village of Tamil Nadu. In another violation, a tribal woman was stripped naked and assaulted in Dakshina

Kannada district of Karnataka.

'In March 2022, an Adivasi woman was sexually assaulted by a mob in Alirajpur, Madhya Pradesh. In February, Latehar, Jharkhand, police officials physically assaulted a 42 - year - old tribal man.'<sup>211</sup>

15.3.14 The DFAT Country Report 2023 noted that:

'Violence by higher-caste people against Dalits has included reports of lynchings for actions such as drinking water that is reserved for upper castes, riding a horse, or having a moustache. For example, media reports emerged in November 2018 about a man whose scalp was degloved for speaking to the relatives of his upper-caste employer, and a 14-year old girl who was beheaded on the orders of an upper-caste woman who hated her for her caste. There are also reports from 2021 about Dalit girls being raped by upper-caste men. ... Dalit activists claim that rape of women is common and that upper-castes use rape as a means to shame or punish Dalits.'<sup>212</sup>

15.3.15 DFAT assessed: '... [W]hile sexual violence against Dalit women has increased in the last decade according to some sources, accurate figures are unavailable because of underreporting of the issue.'<sup>213</sup>

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## 15.4 Scheduled Tribes

15.4.1 The NHRC - India report of 2021, stated:

'Scheduled Tribes are the people belonging to tribes, who often live in forests, although there are some nomadic tribes as well. As these people are usually not a part of any organized religion, they are commonly considered outcastes. Socially they have their own traditions, dressing styles, food habits and a distinguished culture. A number of "tribes or tribal communities" suffer from primitive mentalities, geographical isolation, shyness and social, educational & economic backwardness.'<sup>214</sup>

15.4.2 According to India's Ministry of Tribal Affairs in their year-end review of 2022, there are over 730 Scheduled Tribes notified under Article 342 of the [Constitution of India](#), amounting to approximately 8.6 percent of the population of India<sup>215</sup>.

15.4.3 The USSD IRF Report 2022 noted: 'In government statistics, the Ministry of Tribal Affairs officially identifies as Hindus more than 104 million members of Scheduled Tribes – Indigenous groups historically outside the caste system who often practice Indigenous religious beliefs – although an estimated 10 million of those listed as Scheduled Tribe members are Christians according to the 2011 census.'<sup>216</sup>

15.4.4 The DFAT Country Report 2023 noted that: 'Despite government affirmative action policies ('reservations'), in practice STs often experience poorer

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<sup>211</sup> IAMC, '[Persecution as State Policy Report on Human ...](#)' (pages 78-79), 1 March 2023

<sup>212</sup> DFAT, '[DFAT Country Information Report India](#)' (paragraph 3.145), 29 September 2023

<sup>213</sup> DFAT, '[DFAT Country Information Report India](#)' (paragraph 3.146), 29 September 2023

<sup>214</sup> NHRC, '[Constitutional and Civil Rights to Protect Scheduled Castes and ...](#)' (pages 3-4), 2021

<sup>215</sup> GoI-MTA, '[Year End Review 2022: Ministry of Tribal Affairs](#)', 2023

<sup>216</sup> USSD IRF, '[2022 Report on International Religious Freedom: India](#)' (section I), 15 May 2023



quality health care and education opportunities than other residents ...<sup>217</sup>

15.4.5 The National Crime Records Bureau (NCRB), India, reported in its crime statistics for 2022:

‘A total of 10,064 cases were registered for committing crime against Scheduled Tribes (STs), showing an increase of 14.3% over 2021 (8,802 cases). Crime rate registered increased from 8.4 in 2021 to 9.6 in 2022. ... In Crime head-wise cases, highest number of cases (2,826 cases, 28.1%) were registered under simple hurt (2,826 cases) followed by rape with 13.4% (1,347 cases) and assault on women with intent to outrage her modesty with 10.2% (1,022 cases).<sup>218</sup>

15.4.6 The below chart shows the NCRB crime data on cases reported, investigated, and charged on crimes against STs under the SC/ST (Prevention of Atrocities) Act for years 2021<sup>219</sup> and 2022<sup>220</sup>.

Year	Reported	Investigated (Including some cases from previous year)	Charged (Including some cases from previous year)
2021	8,475	11,190	6,989
2022	9,735	12,417	7,862

15.4.7 The below chart shows the NCRB crime data on cases sent for trial, convictions, cases discharged and acquittals, against STs under the SC/ST (Prevention of Atrocities) Act for 2021<sup>221</sup> and 2022<sup>222</sup>.

Year	Cases sent for trial (Including some cases from previous year)	Cases convicted (Including some cases from previous year)	Cases discharged	Cases acquitted
2021	37,618	529	207	1,117
2022	43,616	872	200	1,719

15.4.8 In July 2023, the Guardian reported:

‘Manipur is a state in north-east India with a population of around three million. It has been [embroiled in an ethnic conflict since early May](#), fought between the majority Meitei community and the minority Kuki tribe. ... Tensions had been simmering between the two communities recently, driven in part by the Meitei-controlled state government. The government was accused of pursuing policies that discriminated against Kukis, including forced evictions that threatened the security of their land, and through an attempt to cast them as illegal immigrants.

‘The violence was sparked by a court ruling in March that granted the

<sup>217</sup> DFAT, ‘[DFAT Country Information Report India](#)’ (paragraph 3.8), 29 September 2023

<sup>218</sup> Gol NCRB, ‘[Crime in India 2022](#)’ (page xiii), no date

<sup>219</sup> Gol NCRB, ‘[Crime in India 2021](#)’ (pages 655, 667), no date

<sup>220</sup> Gol NCRB, ‘[Crime in India 2022](#)’ (pages 655, 657), no date

<sup>221</sup> Gol NCRB, ‘[Crime in India 2021](#)’ (pages 667, 669), no date

<sup>222</sup> Gol NCRB, ‘[Crime in India 2022](#)’ (pages 667, 669), no date

majority Meitei “scheduled tribal status”, entitling them to the same economic benefits and quotas in government jobs and education as the minority Kuki...

‘Police have been accused of refusing to assist those in the Kuki community who have been attacked and have not investigated reports of rape, torture and violence against the Kukis. It wasn’t until the video of Kuki women being stripped naked, assaulted and allegedly gang-raped went viral that the police arrested four Meitei men – more than 70 days after the attack took place.

‘The supreme court also chastised the government for not getting the situation in Manipur under control. Chief justice Dhananjaya Chandrachud said: “It’s time that the government really steps in and takes action because this is simply unacceptable”<sup>223</sup>

15.4.9 According to British Asian Christian Association (BACA), a UK based International Christian Charity, reporting on 8 August 2023: ‘A viral video depicting disturbing incidents of violence against Christian women from the Kuki Tribe in Manipur, India has sent shockwaves across India and the global community. Further Reports of sexual assault and the naked parading of women have prompted widespread outrage and calls for justice.’<sup>224</sup>

15.4.10 The BACA further reported on 21 August 2023:

‘A wave of targeted violence against the Christian community in Manipur has left a trail of devastation. Disturbing accounts of assaults on individuals, the plundering of state government police stations to seize weapons, and intentional acts of arson targeting residences, churches, theological colleges, and Christian educational institutions persistently come to light. These fatal attacks, which began on May 3, 2023, have resulted in the loss of over 250 innocent lives, rape and brutalization of women and children, and the displacement of thousands.’<sup>225</sup>

15.4.11 Nikkei Asia, a Japan-based English-language weekly news and financial magazine focused on the Asian continent, reported on 3 November 2023:

‘The northeastern Indian state of Manipur on Friday marks exactly six months since the eruption of ethnic conflict, with the population still bitterly divided, lives and educations disrupted... . Estimates of the death toll vary, but over 180 people have been reported killed. Some of those who died as far back as May are still lying in government mortuaries...

‘Beyond the sporadic violence, some of the most affected but often forgotten victims are children and teenagers, who have had their lives upended. During the initial months of violence, even schools were burned in arson attacks.’<sup>226</sup>

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Section updated: 30 January 2024

## 16. Avenues of redress

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<sup>223</sup> The Guardian, ‘[Manipur: why is there conflict and how is the government ...](#)’, 21 July 2023

<sup>224</sup> BACA, ‘[BACA Provides Aid to Displaced Christians Amidst Unrest in Manipur](#)’, 8 August 2023

<sup>225</sup> “[Silent Horrors Unfolding: Christians in Manipur Confront Militia Attacks and ...](#)”, 21 August 2023

<sup>226</sup> Nikkei Asia, ‘[India's northeastern Manipur marks 6 months of deadly conflict](#)’, 3 November 2023

## 16.1 Complaints mechanisms

16.1.1 Under the Constitution, each state and union territory (UT) has primary responsibility for crime prevention and investigation and maintaining law and order<sup>227</sup>. Each state and union territory has its own police force (for further details, see the [Country policy and information note on India: Actors of protection](#)).

16.1.2 The BTI 2022 country report noted that: 'Corruption continues to be prevalent particularly in sectors such as the police, the judiciary ... Corruption is prevalent at all levels and continues to affect citizens in many of their interactions with institutions.'<sup>228</sup>

16.1.3 The CMRI Report of November 2022, stated:

'The absence of a definite meaning and insufficient legal provisions to implicate offenders of hate crime leaves much on part of the law enforcement's discretion to act upon. There is a definite lack of action on part of the law enforcement against perpetrators of hate crimes that reveals a bigger pattern of discrimination in the criminal-judicial system.

'The records show a clear bias of the police by detaining or arresting the victims of hate crimes leading to their secondary victimisation. Several incidents have highlighted a repeated trend of police detaining the victims on allegations of hate crime offenders of members of minority communities.

'There are also noted incidents of police helping the offenders in a crime or overlooking the offence that is committed. There are also incidents wherein law enforcement personnel have in fact engaged in offences against members of the minority community. Institutional power and lack of accountability of law enforcement make the victims of hate crimes directly or indirectly affected by police action or inaction.

'There are also incidents where the police have filed First Information Reports (FIRs) against the victims making it all the more difficult for them to be able to seek justice or any redressal. They find themselves in a defeated situation with continued harassment from police. Victims of hate crimes are often forced to withdraw or compromise their complaints because of this. It may also be argued that police discretion allows politically motivated behaviour like arbitrary detention of the victims or refusal to register complaints of the victim or terming the hate crime as a quarrel or clash between two parties, at the behest of political influence or pressure.'<sup>229</sup>

16.1.4 Regarding India's criminal processes, DFAT's Country Report 2023 noted:

'The most recent example of large-scale communal violence was the Delhi riots of early 2020. Protesters against the Citizenship (Amendment) Act 2019 clashed with counter-protesters in several parts of Delhi in January and February 2020, leading to more than 50 deaths; a disproportionate number (two thirds) were Muslims. According to Human Rights Watch and some Indian media sources, police selectively delayed investigations and charges against rioters based on their Hindu religion, with many court cases still

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<sup>227</sup> USSD, '[Human rights report 2022](#)' (Executive Summary), 20 March 2023

<sup>228</sup> BTI, '[BTI 2022 Country Report – India](#)', 24 February 2022

<sup>229</sup> CMRI, '[Religious Minorities In India Report](#)' (page 44), November 2022

pending as of early 2022. Courts, police and criminal processes in India are slow and the extent of religious discrimination versus slow bureaucracy is not clear, but in some cases Indian judges have criticised the police investigations as unprofessional or incompetent.<sup>230</sup>

16.1.5 The NHRC - India report of 2021, stated: 'When victims of caste violence try to access justice, often the first stumbling block they encounter is institutional bias in the form of the police. The police need to record their First Information Reports (FIR), which they are often reluctant to do.'<sup>231</sup>

16.1.6 The Report of the Panel of Independent International Experts, noted:

'Law enforcement authorities tasked with investigations of possible crimes against Muslims... rarely take action. In cases where suspects are police officers, victims have been rebuffed or harassed when registering criminal complaints. The Panel is also not aware of any form of reparation provided to victims of serious human rights abuses. Some ex gratia payments were made to a few victims of violence in Delhi in 2020 by the Aam Aadmi party state government but these appear to fall short of international standards for adequate reparations. Notwithstanding strong powers to intervene when fundamental rights are being violated, the Indian judiciary has remained relatively passive. The Indian Supreme Court, in particular, has failed to adequately deploy its considerable constitutional powers to query or restrain rapidly unfolding abuse by delaying hearings and denying requests for interim relief despite the urgent need for intervention. For example, the over 150 petitions challenging the Citizenship Amendment Act have been waiting for a hearing date for over two years.'<sup>232</sup>

16.1.7 The IAMC Report 2023, noted: 'The Prevention of Atrocities Act or the SC/ST Act is the only legal provision in India that deals with hate crimes and allows for the victims to be able to seek redressal. Though, Dalit Christians and Dalit Muslims are not able to use the provisions of the said act for caste motivated hate crimes committed against them.'<sup>233</sup> (See [Scheduled Castes and Tribes](#))

16.1.8 The Government of India (GoI), National Commission for Minorities, on its website outlined the legislation in place that establishes the National Commission for Minorities (NCM):

'The Union Government set up the National Commission for Minorities (NCM) under the National Commission for Minorities Act, 1992. Initially five religious communities, viz., Muslims, Christians, Sikhs, Buddhists and Zoroastrians (Parsis) were notified as minority communities by the Union Government. Further vide notification dated 27th January 2014, Jains were also notified as another minority community.

'Union Government constituted National Commission for Minorities, New Delhi and State Government constituted State Minorities Commissions in their respective State Capitals. These organisations are set-up to safeguard and protect the interests of minorities as provided in the Constitution of India

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<sup>230</sup> DFAT, '[DFAT Country Information Report India](#)' (paragraph 3.23), 29 September 2023

<sup>231</sup> NHRC, '[Constitutional and Civil Rights to Protect Scheduled Castes ...](#)' (page 6), 2021

<sup>232</sup> Biserko, S, and others, UFS, '[Report of the Panel of Independent International ...](#)' (page x,xi), 2022

<sup>233</sup> IAMC, '[Persecution as State Policy Report on Human ...](#)' (page 78), 1 March 2023

and laws enacted by the Parliament and the State Legislatures.<sup>234</sup>

16.1.9 The USSD IRF Report 2022, noted:

‘The National Commission for Minorities [NCM], which includes representatives from the six designated religious minorities and the National Human Rights Commission, investigates allegations of religious discrimination. The Ministry of Minority Affairs may also conduct investigations. These agencies have no enforcement powers but conduct investigations based on written complaints of criminal or civil violations and submit findings to law enforcement agencies. Eighteen of the country’s 28 states and the National Capital Territory of Delhi have state minorities commissions that also investigate allegations of religious discrimination.’<sup>235</sup>

16.1.10 An Immigration and Refugee Board of Canada (IRB) COI Query Response on the treatment and situation of Sikhs noted that:

‘According to the [National Commission for Minorities] NCM, the complaints that this Commission receives are "mostly" related to "police atrocities, service matters, minority educational institutions and encroachments to religious properties" (India n.d.b). In an interview with the Research Directorate, a writer and journalist based in India who writes about Punjab's economic, political, and cultural context as well as Sikhism in that state, noted that the NCM "does not seem to be effective" in addressing the issues, and the state "does not take significant actions" to investigate cases (Journalist 2022-12-14). The same source further indicated that even when courts reach a judgement, "it is often too little, too late, or sentences are reduced" (Journalist 2022-12-14). The DFAT report states that the NCM received "1,871 complaints and heard 44 cases" in 2018 and 2019 (Australia 2020-12-10, para. 3.23).

‘In correspondence with the Research Directorate, a [World Sikh Organization] WSO representative stated that there are "no effective state mechanisms for victims of torture, particularly Sikhs" (WSO 2022-12-09). The same source also added that while a Punjab State Human Rights Commission (PSHRC) exists, it has "consistently failed to change the culture of torture or secure justice or compensation for victims of police brutality" (WSO 2022-12-09).’<sup>236</sup>

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## 17. Freedom of movement

17.1.1 For information on freedom of movement and internal relocation generally see the [Country Policy and Information Note India: Internal relocation](#).

(See also [Religious demography and geography](#))

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<sup>234</sup> GoI-MMA, NCM, ‘[Complaint Management System of NCM](#)’, no date

<sup>235</sup> USSD IRF, ‘[2022 Report on International Religious Freedom: India](#)’ (section I), 15 May 2023

<sup>236</sup> IRB, ‘[Query response on India: Treatment and situation of Sikhs \(2020 - May 2023\)](#)’, 25 May 2024

# Research methodology

The country of origin information (COI) in this note has been carefully selected in accordance with the general principles of COI research as set out in the [Common EU \[European Union\] Guidelines for Processing Country of Origin Information \(COI\)](#), April 2008, and the Austrian Centre for Country of Origin and Asylum Research and Documentation's (ACCORD), [Researching Country Origin Information – Training Manual](#), 2013. Namely, taking into account the COI's relevance, reliability, accuracy, balance, currency, transparency and traceability.

All the COI included in the note was published or made publicly available on or before the 'cut-off' date(s). Any event taking place or report/article published after these date(s) is not included.

Sources and the information they provide are carefully considered before inclusion. Factors relevant to the assessment of the reliability of sources and information include:

- the motivation, purpose, knowledge and experience of the source
- how the information was obtained, including specific methodologies used
- the currency and detail of information
- whether the COI is consistent with and/or corroborated by other sources

Wherever possible, multiple sourcing is used and the COI compared and contrasted to ensure that it is accurate and balanced, and provides a comprehensive and up-to-date picture of the issues relevant to this note at the time of publication.

The inclusion of a source is not, however, an endorsement of it or any view(s) expressed.

Each piece of information is referenced in a footnote.

Full details of all sources cited and consulted in compiling the note are listed alphabetically in the [bibliography](#).

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# Terms of Reference

A 'Terms of Reference' (ToR) is a broad outline of the issues relevant to the scope of this note and forms the basis for the [country information](#).

The Home Office uses some standardised ToR, depending on the subject, and these are then adapted depending on the country concerned.

For this particular CPIN, the following topics were identified prior to drafting as relevant and on which research was undertaken:

- Religious demography
  - Demography
  - Geography
- Legal context
  - Constitution
  - Personal status laws
  - Citizenship Amendment Act (CAA)
  - Penal code
  - Other legal requirements
  - Conversion and 'forced' conversion
- Political and civic rights
- Interfaith marriages
  - Legislation
  - Treatment of inter-faith and inter-caste married couples
- Cow slaughter
  - Anti-cow slaughter legislation
  - State and societal response to cow slaughter
- State treatment of religious minorities
  - Overview
  - Christians
  - Muslims
  - Sikhs
  - Sikh farmer protests
- Societal treatment of religious minorities
  - Overview
  - Christians
  - Muslims
  - Sikhs

- Hindu nationalism
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# Version control and feedback

## Clearance

Below is information on when this note was cleared:

- version **4.0**
- valid from **19 March 2024**

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### **Official – sensitive: Not for disclosure – Start of section**

The information in this section has been removed as it is restricted for internal Home Office use only.

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### **Official – sensitive: Not for disclosure – End of section**

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## Changes from last version of this note

Updated country information and guidance

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## Feedback to the Home Office

Our goal is to provide accurate, reliable and up-to-date COI and clear guidance. We welcome feedback on how to improve our products. If you would like to comment on this note, please email the Country Policy and Information Team.

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## Independent Advisory Group on Country Information

The [Independent Advisory Group on Country Information](#) (IAGCI) was set up in March 2009 by the Independent Chief Inspector of Borders and Immigration to support him in reviewing the efficiency, effectiveness and consistency of approach of COI produced by the Home Office.

The IAGCI welcomes feedback on the Home Office's COI material. It is not the function of the IAGCI to endorse any Home Office material, procedures or policy. The IAGCI may be contacted at:

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Information about the IAGCI's work and a list of the documents which have been reviewed by the IAGCI can be found on the Independent Chief Inspector's pages of the [gov.uk website](#).

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