

# 2009 Report on International Religious Freedom - India

*[Covers the period from July 1, 2008, to June 30, 2009]*

The Constitution provides for freedom of religion; however, some state level laws and policies restricted this freedom.

The National Government generally respected religious freedom in practice; however, some state and local governments imposed limits on this freedom. There was no change in the status of respect for religious freedom by the National Government during the reporting period; however, problems remained in some areas. Some state governments enacted and amended "anticonversion" laws, and police and enforcement agencies often did not act swiftly to counter communal attacks effectively, including attacks against religious minorities.

India is the birthplace of several religions – Hinduism, Buddhism, Jainism, and Sikhism – and the home for more than a thousand years of Jewish, Zoroastrian, Muslim, and Christian communities. The vast majority of Indians of all religious groups lived in peaceful coexistence; however, there were some organized communal attacks against minority religious groups. The country's democratic system, open society, independent legal institutions, vibrant civil society, and freewheeling press all provide mechanisms to address violations of religious freedom when they occur.

Violence erupted in August 2008 in Orissa after individuals affiliated with left-wing Maoist extremists killed a Hindu religious leader in Kandhamal, the country's poorest district. According to government statistics, 40 persons died and 134 were injured. Although most victims were Christians, the underlying causes that led to the violence have complex ethnic, economic, religious, and political roots related to land ownership and government-reserved employment and educational benefits.

Religious extremists committed numerous terrorist attacks throughout the country during the reporting period. Terrorists attacked Ahmedabad, Bangalore, and Delhi. On September 28, 2008, there was a bomb blast in Malegaon, Maharashtra, outside a building where the banned Students' Islamic Movement of India (SIMI) previously had an office. The blast killed 7 persons and injured more than 90. Several figures, including a sadhvi (Hindu holy woman), associated with Hindu nationalist groups were arrested in the blast investigation. On November 26, 2008, 10 terrorists carried out coordinated attacks across Mumbai over the course of three days and killed 173 persons, including several foreigners. The terrorists attacked luxury hotels, a crowded railway station, a Jewish center, a hospital, and restaurants. Mohammed Ajmal Amir Kasab, the only terrorist captured alive, disclosed that the attackers belonged to the terrorist organization Lashkar e-Tayyiba (LeT).

On May 1, 2009, the Supreme Court ordered speedy trials of cases relating to eight major incidents from the 2002 Gujarat violence; however, hundreds of other court cases stemming from this violence remained unsettled.

The U.S. Embassy and its consulates promoted religious freedom in their discussions with the country's senior leadership, as well as with state and local officials, and supported initiatives to encourage religious and communal harmony. During meetings with key leaders of all significant religious communities, senior U.S. officials discussed reports of harassment of minority groups, converts, and missionaries, as well as state-level legislation restricting conversion, the 2002 communal riots in Gujarat, and the plight of displaced Kashmiri Pandits. Senior U.S. officials also raised U.S. concerns with senior Government officials about the violence against Christians in Orissa and Karnataka.

## **Section I. Religious Demography**

The country has an area of 1.3 million square miles and a population of 1.1 billion. According to the 2001 government census, Hindus constitute 80.5 percent of the population, Muslims 13.4 percent, Christians 2.3 percent, Sikhs 1.8 percent, and others, including Buddhists, Jains, Parsis (Zoroastrians), Jews, and Baha'is, 1.1 percent. Slightly more than 85 percent of Muslims are Sunni; the rest are Shi'a. Tribal groups (indigenous groups historically outside the caste system), which are generally included among Hindus in government statistics, often practice traditional indigenous religious beliefs (animism).

There are large Muslim populations in the states of Uttar Pradesh (UP), Bihar, Maharashtra, West Bengal, Andhra Pradesh, Karnataka, and Kerala; Muslims are the majority in Jammu and Kashmir. Although Muslims are a minority, India is the world's third largest Muslim country in terms of population. Christians are concentrated in the northeast, as well as in the southern states of Kerala, Tamil Nadu, and Goa. Three small northeastern states (Nagaland, Mizoram, and Meghalaya) have large Christian majorities. Sikhs are a majority in the state of Punjab.

Approximately 200 million persons, or 17 percent of the population, belong to the Scheduled Castes and Scheduled Tribes (SC/ST, formerly called "untouchables" and also known as "Dalits"). Some converted from Hinduism to other religious groups, ostensibly to escape widespread discrimination.

Under the National Commission for Minorities Act of 1992, five religious communities – Muslims, Sikhs, Christians, Parsis, and Buddhists – are considered minority communities.

## **Section II. Status of Religious Freedom**

### *Legal/Policy Framework*

The Constitution provides for freedom of religion, and the National Government generally respected this right in practice; however, some state and local governments limited this freedom by enacting or amending "anticonversion" legislation and by not efficiently or effectively prosecuting those who attacked religious minorities.

Despite the National Government's rejection of "Hindutva," the ideology that espouses the inculcation of Hindu religious and cultural norms above other religious norms, "Hindutva" continued to influence the policies of some state and local governments and actions at the state and local levels. The National Government, led by the United Progressive Alliance (UPA), continued to implement an inclusive and secular platform that included respect for the right to religious freedom.

Where "anticonversion" laws are not in place, local authorities on occasion relied upon certain sections of the Indian Penal Code (IPC) to arrest persons engaged in religious activities. For example, IPC Section 153A prohibits "promoting enmity between different groups on grounds of religion, race, place of birth, residence, language, etc., and doing acts prejudicial to maintenance of harmony." IPC Section 295A prohibits "deliberate and malicious acts, intended to outrage religious feelings or any class by insulting its religion or religious beliefs."

The country is a secular state with no official religion. The Constitution protects the right of individuals to choose or change their religion as well as to practice the religion of their choice. The country has historically been fertile ground for all religious traditions to flourish. Many NGOs argued that state-level "anticonversion" laws are unconstitutional and may reinforce the dominance of the Hindu majority. Although these laws do not explicitly ban conversions, the NGOs argue that in practice "anticonversion" laws, by design and implementation, infringe upon an individual's right to convert, favor Hinduism over minority religions, and represent a significant challenge to secularism.

While the law generally provides remedy for violations of religious freedom, it was not enforced rigorously or effectively in many cases pertaining to religiously oriented violence. Legal protections exist to cover discrimination or persecution by private actors. The country's political system is federal and accords state governments exclusive jurisdiction over law enforcement and the maintenance of order, which limits the National Government's capacity to deal directly with state-level abuses, including abuses of religious freedom. The national law enforcement agency, the Central Bureau of Investigation (CBI), cannot investigate a crime committed in a state without the state government's permission. However, the National Government's law enforcement authorities, in some instances, have intervened to maintain order when state governments were reluctant or unwilling to do so.

Despite government efforts to foster communal harmony, some extremists continued to view ineffective investigation and prosecution of attacks on religious minorities, particularly at the state and local level, as a signal that they could commit such violence with impunity, although numerous cases were in the courts at the end of the reporting period.

The opposition Bharatiya Janata Party (BJP), which has at times been aligned with the Rashtriya Swayamsevak Sangh (RSS), a Hindu nationalist organization, held power in six states: Madhya Pradesh, Chhattisgarh, Himachal Pradesh, Gujarat, Uttarakhand, and Karnataka. Several nongovernmental organizations (NGOs) alleged that during the reporting period, the BJP stoked communally sensitive matters as state elections grew near. During the country's five-phase national elections, the largest electoral exercise in human history, there were no reports of religious violence. On March 6, 2009, a video of a BJP candidate, Varun Gandhi, surfaced that

allegedly showed him making inflammatory statements against Indian Muslims while campaigning in Uttar Pradesh. The independent Election Commission directed the Chief Electoral Officer in the state to file a case against Gandhi. The UP state government charged him under the National Security Act. On March 29, 2009, Gandhi surrendered to the police but received parole on April 16, 2009, and was allowed to contest the elections. On May 16, 2009, the Supreme Court ordered charges against Gandhi under the National Security Act withdrawn due to lack of evidence.

In her speech to the first session of the 15th Lok Sabha (lower house of Parliament) after the national elections, President Pratibha Patil stated her government "will continue to accord the highest priority to the welfare of minorities" and consolidate actions underway to ensure "an equitable share for the minorities in government resources, jobs, and plans."

The Ministry for Minority Affairs, the National Human Rights Commission (NHRC), and the National Commission for Minorities (NCM) are governmental bodies created to investigate allegations of discrimination and make recommendations for redress to the relevant local or national government authorities. Although NHRC recommendations do not have the force of law, central and local authorities generally follow them. The NCM and NHRC intervened in several instances of communal tension; the enactment of anticonversion legislation in several states; and incidents of harassment and violence against minorities. Such intervention included high-profile cases, such as the 2002 anti-Muslim violence in Gujarat and the attacks against the Christian community in Orissa. The National Government earmarked \$350 million (approximately Rs. 17 billion) for 2009-10, an increase of 74 percent from the prior year, for the Ministry of Minority Affairs.

In 2008 the NCM published its study on the status of Dalits in Muslim and Christian communities. The NCM argued that Dalit converts continued to face discrimination, even by their new coreligionists, and that religious affiliation made no difference in the socioeconomic status of Dalits. The Commission recommended that reservations, a form of affirmative action, be extended to Muslim and Christian Dalits.

In 2004 Parliament passed a bill creating the National Commission for Minority Education Institutions and in 2006 it empowered the Commission to resolve disputes and investigate complaints regarding violations of minority rights, including the right to establish and administer educational institutions.

Federal and state laws that regulate religion include the Foreign Contribution Regulation Act (FCRA) of 1976, several state-level "anticonversion" laws, the Andhra Pradesh antipropagation law, the Unlawful Activities Prevention Act of 1967, the Religious Institutions (Prevention of Misuse) Act of 1988, the Foreigners Act of 1946, and the Indian Divorce Act of 1869.

The FCRA regulates foreign contributions to NGOs, including faith-based NGOs. Some organizations complained that the FCRA prevented them from properly financing humanitarian and educational activities.

There are active "anticonversion" laws in five of the 28 states: Gujarat, Orissa, Chhattisgarh, Madhya Pradesh, and Himachal Pradesh; however, there were no reports of convictions under these laws during the reporting period. Arunachal Pradesh has an inactive "anticonversion" law awaiting regulations needed for enforcement.

Christian groups in Karnataka alleged that the state government planned to introduce an anticonversion law; however, state government officials insisted no such law was being contemplated.

In April 2008 Gujarat State implemented its "Freedom of Religion Law," which proscribes religious conversions by means of allurement, force, or fraud. There were no reports of arrests or convictions under the law during the reporting period. According to the All India Christian Council (AICC), the Gujarat government investigated only three conversions during the last five years, and there were no reports of arrests or convictions under the law during the reporting period. The Gujarat United Christian Forum for Human Rights filed a legal action in the Gujarat High Court in February 2009 contesting the requirement that prospective converts obtain permission from the state government prior to a conversion ceremony. By the end of the reporting period, no court date had been set.

In March 2008 the BJP-ruled government of Rajasthan passed an "anticonversion" law that would restrict and regulate religious proselytism, but the Governor refused to sign it into law. In December 2008 the Congress Party won state assembly elections and made no attempts to gain passage of the law.

The State Assembly passed the Himachal Pradesh Freedom of Religion Act in 2006, and the Governor signed it into law in 2007. The law states, "No person shall convert or attempt to convert, either directly or otherwise, any person from one religion to another by the use of force or by inducement or by any other fraudulent means nor shall any person abet any such conversion." The law stipulates punishment of up to two years' imprisonment and/or a fine of \$625 (Rs. 25,000). If SC/ST members or minors are involved, penalties are five years' imprisonment and/or a \$1,250 (Rs. 50,000) fine. Any member of a religious group wishing to change his or her religious beliefs is required to give 30 days' prior notification to district authorities or otherwise face punishment of one month's imprisonment and/or a \$25 (Rs. 1,000) fine. Returning to one's previous religious group is not considered a violation of this law. According to NGO sources, in 2008 60 families were reconverted to Hinduism in the state and no complaint was filed under the Act.

Under provisions in the states of Chhattisgarh and Madhya Pradesh (MP), it is prohibited "to convert or attempt to convert, either directly or otherwise, any person from one religious faith to another by the use force or by allurement or by any fraudulent means nor shall any person abet any such conversion." In 2007 the governors of both states rejected a proposed amendment requiring that a government official be notified before a conversion ceremony could take place. According to the Christian Legal Association, a number of Christian pastors and workers were charged under sections 3 and 4 of the Madhya Pradesh Freedom of Religion Act 1969, but no convictions have taken place. On June 29, 2009, the National Government refused to approve

amendments to MP's Freedom of Religion Act that would make it mandatory for any person wanting to convert to another religion to inform the district magistrate in advance.

The Orissa Freedom of Religion Act of 1967 states, "No person shall convert or attempt to convert, either directly or otherwise, any person from one religious faith to another by the use of force or by inducement or by any fraudulent means nor shall any person abet any such conversion." The law defines force as "a show of force or a threat of injury of any kind including threat of divine displeasure or social excommunication," fraud as "misrepresentation or any other fraudulent contrivance," and inducement as "the offer of any gift or gratification, either in cash or in kind and shall also include the grant of any benefit, either pecuniary or otherwise." Penalties for breaking the law include imprisonment, a fine, or both. Penalties are harsher if the offense involves minors, women, or an SC/ST member. The law also requires that district magistrates maintain a list of religious organizations and individuals propagating religious beliefs, that individuals intending to convert provide a declaration before a magistrate, that clergy declare the intent to officiate in a conversion ceremony, and that police officers determine if there are objections to a given conversion. There were no reports of district magistrates denying permission for religious conversions or of convictions under the act during the period covered by this report.

The Unlawful Activities Prevention Act of 1967 empowers the Government to ban religious organizations that provoke intercommunity friction, have been involved in terrorism or sedition, or violated the 1976 FCRA.

There were no requirements for religious groups to be licensed; however, the Government prohibits foreign missionaries of any religious group from entering the country without prior clearance and usually expels those who perform missionary work without the correct visa. Long-established foreign missionaries generally can renew their visas, but the Government has not admitted new resident foreign missionaries since the mid-1960s. There is no national law barring a citizen or foreigner from professing or propagating religious beliefs; however, the Foreigners Act prohibits speaking publicly against the religious beliefs of others. The act prohibits visitors on tourist visas from preaching without prior permission from the Ministry of Home Affairs.

In 2007 Andhra Pradesh enacted the "Propagation of other religions in the places of worship or prayer (Prohibition) Law." Thus far, the state has identified only Hindu religious sites for this protection. Punishment for violations of the act can include imprisonment up to three years and fines up to \$125 (Rs. 5,312). To date, there have been no prosecutions under the act. A fact-finding team from the NCM found that the prohibition is not in line with the Constitution's protections of freedom of religion, adding that the IPC has provisions sufficient to deal with offenses committed in places of worship.

Madhya Pradesh, Rajasthan, UP, and West Bengal have laws regulating the construction of public religious buildings and the use of public places for religious purposes.

In 2006 the Kerala High Court determined that Allah is synonymous with God and ruled that taking an official oath in the name of Allah is constitutionally valid.

The Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act of 1989 lists offenses, including those pertaining to religious duties and practices, against disadvantaged persons and provides for steep penalties for offenders.

Article 17 of the Constitution outlawed untouchability; however, members of lower castes remained in a disadvantageous position. The Government continued to implement a quota system that reserved government jobs and places in higher education institutions for SC/ST members belonging to the Hindu, Sikh, and Buddhist religious groups, but not for Christians or Muslims.

Christian groups filed a court case demanding that SC converts to Christianity and Islam enjoy the same access to "reservations" (quotas) as other SC and argued that Christian SC suffer from the same caste-based socioeconomic and political stigmas and discrimination. Opponents argued that there is no caste system in Christianity and, therefore, no need to extend reservations to SC Christians. The case was appealed to the Supreme Court, which had not ruled by the end of the reporting period. Reservations existed in Andhra Pradesh for Muslims. Reservations also existed for certain Muslim other backward class (OBC) communities in Maharashtra. In 2007 the Mishra Commission recommended that 15 percent of government jobs in services and places in educational institutions be reserved for minorities. The Commission also recommended including Muslim and Christian Dalits on the SC/ST list. The Supreme Court was reviewing this matter at the end of the reporting period.

Under Article 25 of the Constitution, Sikhism, Jainism, and Buddhism are considered sects of Hinduism; however, these groups view themselves as unique and sought to introduce their own separate personal laws. Sikhs have sought a separately codified body of law to legally recognize their uniqueness and preclude ambiguity. The 1992 NCM Act identified Buddhism as a separate religion. The Supreme Court rejected the inclusion of Jainism under the Act, stating that the practice of adding new religious groups as minorities should be discouraged. According to press reports, state governments have power to grant minority status to religious groups designated as minorities under the 1992 Act, but not all states have officially done so. In June 2008 the Delhi Government decided to accord minority status to the Jain community. Jains have also been accorded this status in the states of Karnataka, Madhya Pradesh, Uttarakhand, Rajasthan, Jharkhand, Chhattisgarh, and UP. The states of Andhra Pradesh and Karnataka recognize Sikhs as minorities.

There are different personal status laws for the various religious communities, and the legal system accommodates religion-specific laws in matters of marriage, divorce, adoption, and inheritance. The Government grants a significant amount of autonomy to personal status law boards in crafting these laws. There is Hindu law, Christian law, Parsi law, and Islamic law – all legally recognized and judicially enforceable. None is exempt from national and state-level legislative powers and social reform obligations as laid down in the Constitution.

The Divorce Act of 2001 limits inheritance, alimony payments, and property ownership of persons from interfaith marriages and prohibits their use of churches to celebrate marriage ceremonies in which one party is a non-Christian. Clergy who contravene its provisions could

face up to 10 years' imprisonment. The act does not bar interfaith marriages in other places of worship.

In November 2007, under the Juvenile Justice (Care and Protection of Children) Amendment Act 2006, the Government provided clearance for members of all religious groups to legally adopt children.

The Government permits private religious schools but does not permit religious instruction in government schools. The Government may prescribe merit-based admission for religious colleges that receive public funding. Others may use their own criteria, including religious affiliation.

Many Hindu sects have established schools, although they do not receive aid from the state.

There are approximately 30,000 madrassahs (Islamic schools) providing full- or part-time education in India. Most did not accept government aid, alleging that it would subject them to stringent security clearance requirements. Educational institutions given "minority status" by the Government are not eligible for government aid. The 2006 Report on the Social and Economic Status of Muslims in India (the Sachar Report) noted that Muslim communities are disproportionately underserved regarding access to schools, credit, and housing.

The major holy days of the predominant religious groups are considered national holidays, including Good Friday and Christmas (Christian); the two Eids (Islamic); Lord Buddha's Birthday (Buddhist); Guru Nanak's Birthday (Sikh); Dussehra, Diwali, and Holi (Hindu); and the Birthday of Lord Mahavir (Jain).

### *Restrictions on Religious Freedom*

The Government renewed the ban on the Students Islamic Movement of India (SIMI) in February 2008 for two more years, due to the organization's alleged connections to terrorism. SIMI challenged the ban, but the Supreme Court upheld it. The Unlawful Activities (Prevention) Tribunal in February 2008 extended the August 2007 ban on an Islamic sect, Deenadar Anjuman, for two more years.

The Government maintained a list of banned books that may not be imported or sold in the country because they contain material that government censors deem inflammatory and apt to provoke communal or religious tensions. The Rajasthan government continued to ban the books *Haqeeqat* (The Truth) and *Ve Sharm Se Hindu Kahate Hain Kyon?* (Why Do They Say With Shame They Are Hindus?) for alleged blasphemy against Hindu gods. In December 2008 police officers in Bhubaneswar, Orissa, arrested Lenin Kumar, editor of *Nisan*, for criticizing Hindu fundamentalist organizations in a booklet on the anti-Christian violence in Kandhamal; he was later released on bail.

The opposition party BJP, the RSS, and other affiliated organizations (collectively known as the Sangh Parivar) claimed to respect and tolerate other religious groups. However, the RSS opposed conversions from Hinduism and expressed the view that all citizens, regardless of their religious



affiliation, should adhere to Hindu cultural values. During the reporting period, the BJP continued to advocate contentious measures, such as the passage of "anticonversion" legislation in all states, the construction of a Hindu temple on the Ayodhya site, a religious site disputed by Hindus and Muslims, and the enactment of a uniform civil code.

The country conducted parliamentary elections in April-May 2009 in which 714 million citizens were eligible to vote. Aside from an inflammatory speech by a BJP candidate campaigning in northern UP, the elections were largely devoid of religion-based rhetoric.

During the reporting period, the government of Maharashtra took no action on regional Shiv Sena party chief Bal Thackeray for his June 2008 remarks advocating creation of "Hindu suicide squads" to fight "Islamic terrorism."

Christian church groups alleged attempts by Karnataka state police to gather information on their pastorates under the guise of providing official sanction to functions in their local areas. For example, on September 26, 2008, a police notice asked Christian prayer groups in Moodabidri police station's jurisdiction in Mangalore for documentation pertaining to building ownership, activities, and membership. Christian groups feared the information would be passed to Hindu extremist groups planning to organize anti-Christian violence.

The Greater Hyderabad Municipal Corporation (GHMC) in 2008 issued notices to church authorities for the demolition of St. Anthony Church in Mettuguda. The Catholic Association of Hyderabad, United Front for Dalit Christian Rights, and other Christian associations alleged state government discrimination against the church. The Government of Andhra Pradesh refuted the allegations, noting that the proposed demolition was intended to widen the adjacent road. The GHMC offered monetary compensation, but the Christian community refused and instead demanded nearby land to rebuild the church.

Missionaries and foreign religious organizations must comply with the FCRA, which limits overseas assistance to certain NGOs, including ones with religious affiliations.

### *Abuses of Religious Freedom*

While there were no reports accusing the National Government of committing abuses of religious freedom, human rights activists criticized it for alleged indifference and inaction toward abuses state and local authorities and private citizens committed. Law enforcement and prosecution continued to be weak. This was exacerbated by a low police-to-population ratio, corruption, and an overburdened court system.

On July 27, 2008, Digras and Pusad towns in eastern Maharashtra witnessed Hindu-Muslim clashes over the rumor of an insult to the Qur'an. A secular group alleged that local police joined rioters in attacking Muslim properties. Police firing resulted in the deaths of two persons.

Christian activists alleged that the BJP victory in 2008 state elections in Karnataka dampened police enthusiasm to investigate such incidents in the state. According to a senior Catholic official, the Karnataka police arrested more than 100 Christians who staged protests against

attacks on churches in Mangalore on September 15, 2008. Authorities charged them with rioting and obstructing public servants from discharging their duties, a charge that carries a three-year jail sentence. Meanwhile, Bajrang Dal activists who vandalized churches and attacked Christians on September 14, 2008, were charged only with causing a public nuisance, a charge with a standard sentence of detention for one day.

There were reports from faith-based media of approximately 17 cases under state-level "anticonversion" laws and other restrictive laws in Chhattisgarh, MP, and Maharashtra during the reporting period. Of the 17, seven were reports from Chhattisgarh and six from MP. For example:

On May 7, 2009, authorities arrested five Christians in Narsinghpur, MP, on allegations of forced conversions after Hindu extremists entered a prayer meeting attended by members of Jeevan Lal Church and Campus Crusade for Ministry and injured some attendees, according to Compass News Direct. Police arrested the five Christians under Section 295 (A) of the IPC for "malicious acts intended to outrage religious feelings or any class by insulting its religion or religious beliefs." The report did not indicate whether police took action against the Hindu extremists.

On April 15, 2009 in Bilaspur, Chhattisgarh, police arrested a Christian, Gyan Singh, after four Hindus accused him of conducting forced conversions by inviting them for a prayer meeting. After charging him under sections of the IPC on promoting enmity between different communities, police released him on bail.

On February 25, 2009, police in Bhopal, MP, arrested Pastor Venkata Rao Paulose of the Pentecostal Church of God on charges of "hurting religious sentiments," after RSS and Bajrang Dal members purchased the book *Secularism and Hindutva* outside a school where the pastor had been speaking. On February 19, 2009, the two pastors who had been selling the books were arrested; one was granted bail and the other was moved to another jail. Although Pastor Paulose claimed he did not know who was selling the books, he was held without bail for a week.

On February 17, 2009, in Surguja district of Chhattisgarh, police arrested 11 pastors from the Believers Church under the state's "anticonversion" law after Hindu extremists disrupted a revival meeting. The Evangelical Fellowship of India reported it was conducting the meeting with prior permission of the police and the civil administration. Hindu extremists led by local BJP legislative assembly member Renuka Singh attacked the pastors, tore Bibles and banners, and damaged the sound system. Police intervened after persistent calls from local Christian leaders. Police took the victims to the police station "for security measures" but filed charges against them for alleged forceful conversion. The pastors were released on bail on February 18, 2009.

The Evangelical Fellowship of India reported that on January 5, 2009, police charged the associate pastor and nine other Christians in Dantewada, Chhattisgarh, with damaging or defiling a place of worship. The Christians said they inadvertently left at a picnic site trash that unknown persons later gathered, piled near a Hindu temple, and photographed as evidence of defilement of the temple. Police arrested and the same day released the Christians. The defilement of the

temple led to a protest on January 18, 2008, in which Hindus called for the eradication of Christians. Police dispersed the crowds.

On September 5, 2008, approximately 300 Hindus, alleged members of the Bajrang Dal and VHP, reportedly entered a train coach 31 miles outside Chhattisgarh's capital city, Raipur, and forced four sisters from Mother Teresa's Missionaries of Charity, carrying four orphan babies, to disembark. The attackers accused the sisters of attempting to illegally convert the babies. Police did not arrest the attackers but released the sisters after they showed they were taking the children for lawful adoption.

On August 15, 2008, in Ratlam District, MP, a pastor and his wife were arrested for alleged forced conversions at a prayer meeting organized by the Union of Evangelical Students at St. Bartholomew Church. A group of Bajrang Dal members reportedly beat the two, along with World Vision staff and members of Youth with a Mission. Police detained three Christians and charged them with "forcible conversions" before releasing them on bail the next day.

Release International reported that on August 4, 2008, in Jabalpur, MP, a pastor and his wife were arrested and charged under the state's "anticonversion" law after a man baptized there leveled charges of forced conversion and allurement. Police locked the Full Gospel Church of God and placed it under police guard. The pastor and his wife were released from jail two days later.

Numerous cases involved communal attacks on Christians, attacks on their property, and police brutality. In several instances, those attacked were reportedly arrested.

On May 5, 2009, in Nalasopara, Maharashtra, a plainclothes constable led a mob attack on a Christian prayer meeting, according to the State Minorities Commission. The victims reportedly forgave the assailant after he confessed to the attack.

On April 6, 2009, Andhra Pradesh police arrested Pastor Prabhu Dass for allegedly violating "anticonversion" laws in Karimnagar District. He was released on bail on April 9.

On March 5, 2009, a foreign Christian missionary claimed four men in Hyderabad attacked him and took him by force to the local police station.

On November 23, 2008, Hindu extremists attacked nine Christian pastors in Potuluru, Andhra Pradesh, in the presence of police. Police immediately took the attackers into custody but later released them.

The All India Christian Council noted the following major violations of religious freedom during the reporting period. On March 11, 2009, a group of 30 to 40 persons attacked Pastor Erra Krupanandam of Bethel Church while he was returning from a market. He suffered permanent spinal injuries. The pastor filed a case with police, who arrested one person. On January 16, 2009, Hindu extremists attacked Pastor Yakobu in Karimnagar District. The pastor claimed that when he answered a knock on his door at midnight, six persons rushed in and beat him while shouting that no pastor should live in the village. A complaint was filed with the Potkapaali

police station. On December 7, 2008, three Christians, including a pastor, stated they were attacked by RSS activists in Adilabad while they were returning home.

According to local press, Catholic churches across Kerala held protests in 2008 demanding the immediate withdrawal of a controversial elementary school social studies textbook. The Catholic Church argued that the book teaches children atheism and communism. The Communist Party of India-Marxist (CPI-M)-led Left Democratic Front government issued the textbook. Other religious groups, including Muslim organizations and the Hindu Nair Service Society, also demanded the withdrawal of the textbook. In July 2008 the government of Kerala set up an 18-member committee that in October recommended revisions to one controversial chapter rather than withdrawal of the textbook. The government accepted the recommendation and tasked the State Council of Educational Research and Training to revise the chapter. The pages were reprinted and distributed free of cost to students.

On August 8, 2008, 18 years after their acquittal, four Hindus accused in 1984 anti-Sikh riots were sentenced to life imprisonment for killing two Sikh men. In February 2009, in another case, the Delhi High Court acquitted five Hindus due to lack of evidence. On April 2, 2009, the CBI closed the case against Congress Party leader Jagdish Tytler, stating witness evidence was "inconsistent, unreliable, and unworthy of credit." Public outcry and ensuing protests led the Congress Party to withdraw his name as a candidate in the parliamentary elections. An appeal of the CBI decision was at the Supreme Court at the end of the reporting period.

There was continued concern about the Gujarat government's failure to arrest those responsible for the communal violence in 2002. Home Ministry figures indicated that 790 Muslims and 254 Hindus were killed and 2,500 others injured. Some NGOs maintained the number of Muslims killed was higher, with estimates from 1,000 to 2,500. There were also reports of rape and molestation of Muslim women. On February 28, 2009, the official death toll rose to 1,272 as 228 persons who had been missing for seven years were officially declared dead.

On April 28, 2009, the Supreme Court ordered Gujarat police to register a complaint against Chief Minister Narendra Modi and 60 other high-level officials of the Gujarat government, investigating their role in the riots. The Supreme Court made the ruling after hearing the petition of Zakia Jafri, a survivor of the 2002 violence, who had been trying since June 2006 to register a complaint in Gujarat against state government officials for their alleged complicity. The Supreme Court also asked the Special Investigation Team (SIT) (see below) to investigate the Zakia Jaffri complaint and submit a report by the end of July 2009. At the end of the reporting period, the SIT investigation was still underway.

There were advances in eight high-profile cases, including the 2002 train fire in Godhra, as a result of investigations by the SIT the Supreme Court established in March 2008. The Supreme Court received the SIT's interim report on March 2, 2009, and issued decisions to expedite the judicial process for these cases based on the SIT report. On May 1, 2009, the Supreme Court ordered the Gujarat High Court to set up fast-track courts in Gujarat to hear at least eight high-profile cases. At the end of the reporting period, the process of setting up fast-track courts was underway.

On March 28, 2009, the SIT arrested former Gujarat BJP minister Maya Kodnani and former VHP leader Jaydeep Patel. Charges filed against the two on April 26, 2009, included murder, attempted murder, looting, and rioting relating to the Naroda Gam massacre. Kodnani was also charged with destruction of evidence. Kodnani was the first high-level member of the Gujarat government arrested in relation to the 2002 riots. On May 19, 2009, Kodnani and Patel were released on bail; no date was set for a trial. In September 2008 the SIT arrested 15 others, including a serving district police superintendent, in connection with three high-profile cases (Naroda Gam, Naroda Patiya, and Gulberg Society).

Some high-profile cases resulted in convictions. In January 2008 a Mumbai special court sentenced 11 Hindu rioters and 1 policeman for the gang rape of a Muslim woman, Bilkis Bano, and the killing of several of her family members. The court also acquitted seven defendants, including five policemen and two doctors. In October 2007 a Godhra court in Gujarat sentenced eight persons to life in prison and three others to three years' imprisonment for the 2002 Eral massacre case that left seven persons dead. Twenty-nine persons were acquitted in the case. In 2006 a Mumbai court convicted nine persons for the murder of 14 Muslims in the Best Bakery case and sentenced them to life in prison.

The commission the Gujarat government appointed in 2002 to investigate the violence (known most recently as the Nanavati-Mehta Commission) published a report in September 2008 concluding that Muslims in the town of Godhra conspired to start the fire that killed 59 Hindu activists aboard a train in 2002, contrary to the conclusion in the March 2006 report the central government-established commission headed by Justice Banerjee had issued. The Nanavati-Mehta Commission planned to release a second report in December 2009 examining the subsequent violence in the state. The Gujarat High Court initially prevented the release of the Banerjee report to Parliament, but Indian Railways petitioned the Supreme Court for its release; the appeal was ongoing at the end of the reporting period.

The Central Prevention of Terrorism Act (POTA) Review Committee in 2005 recommended POTA charges be dropped against many Muslims in connection with the Godhra train fire due to insufficient evidence. In 2007 the central government committee ruled that nearly 100 Muslims held under POTA were entitled to bail. In February 2009 the Gujarat High Court agreed that the original train fire was not an act of terror, and therefore these cases did not fall under the POTA. Despite these rulings, at the end of the reporting period, almost all the accused remained in custody in Gujarat, awaiting trial. The government of Gujarat appealed the High Court's ruling to the Supreme Court.

In 2007 the newsweekly *Tehelka* published secretly recorded interviews in which many of the accused freely admitted their roles as well as police and BJP leadership complicity in the 2002 violence. The CBI inquiry into the *Tehelka* tapes ordered in 2008 was ongoing at the end of the reporting period.

Several human rights groups believed those responsible for the 2002 violence would largely go unpunished despite sporadic judgments convicting Hindu assailants and the Supreme Court's direct supervision of certain high-profile cases. In its 2006 response to the Supreme Court, the Gujarat police said it would reexamine 1,600 of the 2,108 cases that were closed after the riots.

By June 2008 the Gujarat police dropped as many as 1,600 cases without trial, citing unavailability of witnesses. In many cases tried in Gujarat lower courts, the accused were acquitted due to lack of evidence or changes in testimony. Two women's rights activists reported that the National Government had informed a U.N. agency in 2006 that up to that time, only six cases relating to 2002 violence had resulted in convictions, whereas 182 cases had resulted in acquittals. On May 1, 2009, the Supreme Court ordered retrials of all Gujarat cases by fast-track courts in Gujarat and monitoring of the retrials by the SIT.

The situation for many persons displaced by the 2002 violence remained unchanged. The NGO Center for Social Justice, which carried out the initial survey of the families for NHRC, confirmed that the situation in the camps as reported in the 2005 survey by the NHRC monitoring committee was essentially unchanged: approximately 4,300 Muslim families (25,000 to 30,000 individuals) were still internally displaced and living in makeshift camps with inadequate infrastructure. Muslims in camps told the NHRC they feared retaliation by Hindu neighbors if they returned to their villages. They also feared Hindu neighbors would pressure them to withdraw the complaints they had filed in connection with the 2002 violence. The NGO also confirmed many poor families in the camps still had not received government food subsidy cards.

Compensation to victims of the violence continued to lag. The compensation package has four components: additional death compensation for next-of-kin in the amount of \$8,333 (Rs. 350,000); compensation for the 2,548 injured persons in the amount of \$2,900 (Rs. 125,000); additional compensation for property damage, 10 times the amount paid by the government of Gujarat; and assistance in finding homes and jobs for victims. The Gujarat government distributed money for death compensation between January and March 2008. After 228 missing persons were declared dead in February 2009, their next of kin also received death compensation payments in March 2009. In May 2008 the central Government announced it was releasing approximately \$80 million (Rs. 3.3 billion) to the government of Gujarat for compensation for injuries and property damage. It was unclear how much of this fund the Gujarat government received and distributed. NGOs working with victims were pursuing a case in the Gujarat High Court to receive full housing compensation at the end of the reporting period.

On July 9, 2008, a magistrate court convicted and sentenced to one year in jail a senior Shiv Sena leader and two others for inciting violence in the 1992-93 communal riots in Mumbai. The men were convicted of "promoting enmity between different religious groups." In December 1992 the senior politician had led a mob of more than 5,000 persons to a temple where provocative speeches were made. In June 2008 a Mumbai court acquitted 12 persons accused in the 1992-93 communal riot cases.

Despite successful state assembly elections in November-December 2008 in Jammu and Kashmir, reports of human rights abuses by security forces, local officials, and separatists continued. It remained difficult to separate religion and politics in Kashmir; Kashmiri separatists were predominantly Muslim, and most of the security forces stationed there were non-Muslim. The majority of the 61,000-member Jammu and Kashmir police force was Muslim. Kashmiri Hindus remained vulnerable to violence. Most lived in refugee camps outside the valley of Kashmir and were awaiting safe return.

According to the Ministry of Home Affairs annual report for 2008-09, at the end of the reporting period, approximately 34,878 Pandit families from Jammu and Kashmir were living in 12 refugee camps in Jammu, 19,338 families were in Delhi's 14 camps, and the remaining displaced families were scattered across the country. There were a total of 55,456 Kashmiri migrant families living under displaced conditions.

On May 26, 2008, the Jammu and Kashmir government decided to transfer 100 acres of land to the Shri Amarnath Shrine Board (SASB), a government-run organization that oversees an annual Hindu pilgrimage to a shrine in the Himalayas. Separatist leaders accused the National Government and the state government of illegally confiscating public land and settling non-Kashmiris in an attempt to change the demographics in the Muslim-majority state. Peaceful protests by Muslims later turned violent in June when police opened fire, killing two teenagers and injuring more than 70 protestors and police. After the state government revoked the land transfer on June 30, 2008, Hindu groups in the region mounted protests and destroyed 72 homes of Muslims. In August, as protests continued, security forces resorted to firing, causing 55 deaths and hundreds of injuries.

### *Forced Religious Conversion*

There were no reports of forced religious conversions, including of minor U.S. citizens who had been abducted or illegally removed from the United States or who had not been allowed to be returned to the United States.

Authorities arrested numerous Christians under state-level "anticonversion" laws during the reporting period for allegedly engaging in conversions by force, allurement, or fraud (for more information, see Abuses). Hindu nationalist organizations frequently alleged that Christian missionaries lured low-caste Hindus with offers of free education and health care, and these organizations equated such actions with forced conversions. Christians claimed that low-caste Hindus converted of their own free will and that efforts by Hindu groups to "reconvert" these new Christians to Hinduism were accompanied by offers of remuneration and thus fraudulent.

### *Abuses by Rebel or Foreign Forces or Terrorist Organizations*

In contrast to previous years, there was not a significant number of attacks, if any, against the Pandit community in Jammu and Kashmir.

Terrorists attempted to provoke interreligious conflict by detonating bombs.

On July 25, 2008, eight bombs killed one person and injured seven in Bangalore. No organization took responsibility; media reports suggested that investigators suspected SIMI and LeT's involvement in these attacks. On September 13, five synchronized bomb blasts exploded throughout New Delhi, killing 30 persons and injuring more than 100. The Indian Mujahideen, an Islamist group, claimed responsibility. Police arrested several suspects. From November 26 to 29, 10 terrorists carried out coordinated attacks across Mumbai and targeted luxury hotels, restaurants, the railway station, a hospital, and a Jewish center. The terrorists killed 173 persons, including several foreigners, and injured at least 308 persons. Mohammed Ajmal Amir Kasab,

the only terrorist captured alive, was tried by a Mumbai court. At the end of the reporting period, his trial was ongoing.

In addition to the terrorist attacks in Mumbai, there were bomb blasts in other cities. On September 28, 2008, there was a bomb blast in Malegaon, Maharashtra, outside a building where the banned SIMI previously had its office. The blast killed seven and injured more than 90. In October 2008, the Mumbai Anti-Terrorism Squad arrested members of Abhinav Bharat, a militant Hindu group, for planting the bombs. The accused included a sadhvi, a Hindu holy woman, as well as current and former military officers, all former members of the Akhil Bharatiya Vidyarthi Parishad (ABVP).

In July 2008, in the city of Ahmedabad in Gujarat, 16 bombs exploded, killing 57 persons and injuring more than 150 in markets, residential areas, bus stops, and hospitals. There were also bombs found in Surat, Gujarat, but police defused all of these. According to reports, the Indian Mujahideen claimed credit for the blasts and said the attack was retribution for the communal violence in Indore over the Amarnath Shrine issue. Gujarat police claimed that "Indian Mujahideen" was an offshoot of the banned SIMI and arrested 10 SIMI members for the blasts.

Attacks by Hindu extremists in Karnataka garnered significant media attention. During January 2009 Bajrang Dal and Sri Ram Sena activists in the Dakshin Kanana and Udupi districts assaulted Muslim boys found talking to Hindu girls. Attacks usually took place on public transportation, with sympathetic bus drivers allegedly tipping off the attackers about the presence of interfaith couples. On January 24, 2009, Sri Ram Sena raided a Mangalore pub, assaulting women patrons for "indecentcy." The resulting media outcry referred to the emergence of a "Hindu Taliban." On February 7, 2009, Sri Ram Sena members abducted the daughter of a Kerala legislator and a young Muslim man for conversing while traveling on an interstate bus. Five attackers were arrested and released on bail. Human rights groups claimed a case was registered against the attackers, but no charges had been filed in court at the end of the reporting period.

#### *Improvements and Positive Developments in Respect for Religious Freedom*

In the wake of the bomb attacks in Ahmedabad, Gujarat in September 2008, Chief Minister Narendra Modi and State Health and Welfare Minister Jay Narayan Vyas appealed for calm and restraint, helping to prevent communal violence.

Andhra Pradesh (AP) is the first state to allocate funding – \$200,000 (Rs. 10,000,000) – for development programs for the Christian minority and started the AP State Christian Finance Corporation in 2008.

The AP state government quickly responded to communal violence between Hindus and Muslims in Adilabad in October 2008. Thirty cases were registered and 129 persons, mostly Hindus, were arrested. The Chief Minister announced a \$10,000 (Rs. 500,000) relief and rehabilitation package for victims' families and compensation payments between \$1,000-\$8,000 (Rs. 50,000 to 400,000) to those who lost property.



Following objections from Christian groups that the new system of reserving 3.5 percent of jobs and educational opportunities for Christians was not advantageous to the community, the Tamil Nadu Assembly on November 14, 2008, withdrew the new policy and reestablished the Christians' right to share quotas alongside the Hindu members of the "backward classes."

The AP government allocated \$474,000 (Rs. 20,145,000) in the 2008 budget as subsidies to Christians who wanted to visit the Holy Land. Two groups, with 50 persons each, received the subsidies in 2008.

In July 2008 the National Commission for Minorities ordered the MP government to investigate the riots between Hindus and Muslims over the Jammu and Kashmir Amarnath land transfer issue. Eight persons were killed in the riots. The NCM held Hindu fundamentalist organizations Bajrang Dal and Vishwa Hindu Parishad responsible for the rioting and deaths.

In January 2009 a Special Court awarded life sentences to 62 persons convicted for the May 2003 communal attack in Marad that left nine persons dead.

The National Foundation for Communal Harmony (NFCH), an autonomous body under the Ministry of Home Affairs, continued to provide assistance for the physical and psychological rehabilitation of child victims of communal, caste, ethnic, or terrorist violence, with special reference to their care, education, and training. The NFCH also promoted communal harmony, fraternity, and national integration by providing financial assistance to rehabilitate minority children. It gave grants to states to hold events that promote communal harmony. The NFCH granted scholarships, fellowships, and annual awards to individuals, organizations, and student unions that reflected a secular image and promoted harmony.

In September 2008 the Bihar government provided compensation to approximately 600 of 853 victims of the 1989 Bhagalpur riots. Some victims did not receive compensation because of a lack of evidence or missing files.

The NHRC and NCM continued to promote freedom of religion during the reporting period. Through their annual reports and investigations, they focused attention on human rights problems and, where possible, encouraged judicial resolutions. For example, the NCM visited Indore after the July 2008 Hindu-Muslim violence.

### **Section III. Status of Societal Respect for Religious Freedom**

The population of 1.1 billion includes numerous religious traditions and beliefs. There were instances of societal discrimination and violence based in whole or in part on religious affiliation. Many such incidents were linked to politics, nationalism, conversion, or retaliation. Economic competition for limited resources between religious communities played an important role in conflicts. According to the Ministry of Home Affairs 2008-09 annual report, there were 943 instances of communal violence or violence along religious lines, in which 167 persons were killed and 2,354 injured.

Efforts at ecumenical understanding brought religious leaders together to defuse religious tensions. Prominent leaders of all religious groups made public efforts to show respect for other religious groups by celebrating their holidays and attending social events such as weddings. Muslim groups protested against the mistreatment of Christians by Hindu extremists. Christian clergy and spokespersons for Christian organizations issued public statements condemning anti-Muslim violence in places such as Gujarat.

In the aftermath of the November 2008 Mumbai terrorist strikes, religious leaders of all communities condemned the attacks and issued statements to maintain communal harmony. In January 2009 a Christian and Muslim were awarded the 2008 National Communal Harmony Award by Vice President Hamid Ansari.

The media continued to highlight discrimination in several villages in southern Tamil Nadu preventing Dalits from participating in temple festivities. Local media also pointed out that Dalits are usually denied access to burial grounds or even to public streets dominated by certain upper castes.

There were instances of religiously motivated violence and sectarian rioting, including mob violence or vigilante action.

Religious media reported that on March 15, 2009, more than 20 Hindu RSS activists attacked evangelist O.J. Andrews, a worker of the organization Tribal Mission, while he was conducting a Sunday worship service in his church in Karullai, Kerala. Andrews was reportedly pulled out of the church and dragged for 30 yards along the road. Two days later Andrews lodged a complaint with the police, but he withdrew it after the police mediated peace talks between the groups.

On October 10, 2008, Bhainsa, a communally sensitive town in Adilabad District, Andhra Pradesh, had an outbreak of communal violence, when a procession to immerse a Hindu idol in a local reservoir sparked violence between Hindus and Muslims that resulted in the deaths of two Muslims and one Hindu. The incident also resulted in 12 other injuries, including nine police officers, and the destruction by arson of 20 shops and 10 vehicles. Local residents blamed police for not taking measures to prevent violence.

On October 12, 2008, the charred bodies of Mahbub Khan and five members of his family were found in his house in Vatoli, a village near Bhainsa. The door had been locked from outside and the house set on fire. The family was one of two Muslim families in the village. The National Commission for Minorities suspected murder, since neighbors made no efforts to put out the fire or save the persons inside.

After the violence in Bhainsa and Vatoli, the state government ordered additional police forces to investigate. Authorities confirmed a total of 30 cases and arrested and declared "non-bailable" 129 individuals in conjunction with both incidents, with the majority of the cases filed against Hindus. Authorities arrested seven individuals for the Vatoli arson and 13 for the Bhainsa violence.

The AP state government announced a relief and rehabilitation package worth \$10,000 (Rs. 500,000), including government jobs, for the victims' next of kin. Those who lost property were granted compensation payments of \$1,000-\$8,000 (Rs. 50,000 to 400,000). The state government also requested a Central Bureau of Investigation probe into both incidents.

In Hindu-Muslim violence October 5-6, 2008, in Dhule, a town in northern Maharashtra, there were 10 persons reported killed, 383 injured, and 1,157 homes damaged. The violence allegedly began when Muslims gathered to welcome a local Congress leader returning from the Hajj hurled stones at Hindu posters that depicted bombings allegedly perpetrated by Muslim terrorists. Police did not intercede to stop the violence until the third day, according to reports.

There were reports of communal clashes in Vadodra, Gujarat, on September 14-15, 2008, when Hindus parading Hindu idols through a mixed Muslim/Hindu neighborhood hurled stones at Muslims. According to the reports, police used tear gas to disperse the crowd; after the violence continued for a second day, police fired into the crowd, killing one Muslim.

On August 30, 2008, a group of approximately 1,000 VHP activists gathered at a diocese-run school in Jabalpur, MP, shouted anti-Christian slogans, and burned an effigy of Pope Benedict XVI. No violence was reported.

On July 3, 2008, communal clashes were reported in the city of Indore, MP, when Muslim shopkeepers refused to close their businesses for a strike the BJP and VHP called to protest the Amarnath Shrine issue. (Amarnath is a popular Hindu pilgrimage destination in Jammu and Kashmir. The protests were called in opposition to revocation of an order transferring land to the Amarnath Shrine Trust after opposition by Kashmir's Muslims.) Four persons died from police firing during efforts to quell the altercations.

The Mumbai-based Center for the Study of Society and Secularism published a report on Hindu-Muslim violence in 2008 compiled from mainstream and faith-based media reports. Findings include: On December 29, 2008, two persons died in Hindu-Muslim clashes in a village in Latur district of Maharashtra. On October 10, 2008, in Burhanpur in MP, rioting started after Friday prayers near Jama Masjid when Hindus used provocative slogans. Three persons died in police firing, and rioters burned 18 shops and 15 houses. On October 1, 2008, in Maharashtra, Hindus and Muslims clashed over erecting a ceremonial arch for the temporary installation of a Hindu idol. One Muslim died in police firing, and 65 persons were injured, including 39 policemen. Rioters burned three shops on temple and mosque premises, and one person was killed when police fired on rioters. A Hindu leader was arrested for not ending the procession before it became violent. On August 14, 2008, in Tenkasi, Tamil Nadu, Hindus attacked and killed six Muslims suspected of killing a Hindu right-wing group leader in December 2007.

Conversion of Hindus or members of lower castes to Christianity remained highly sensitive and resulted in assaults and/or arrests of Christians. Even so, Christians often held large public prayer meetings without violence or protests.

The AICC documented 73 attacks on Christians, not counting attacks in Karnataka and Orissa.

According to AICC, the greatest number of reported attacks occurred in Orissa, Chhattisgarh, Karnataka, and MP. In these incidents, Christians alleged Hindu extremists disrupted prayer meetings, destroyed or damaged places of worship, vandalized property, assaulted pastors and lay persons, confiscated and destroyed religious material, and attempted to intimidate Christians from attending religious services. There were also reported incidents in which Christians physically attacked by others were further victimized when the police arrested them rather than the attackers.

On October 10, 2008, Hindu groups in Goa called a strike in protest of desecration of Hindu idols. No culprits were identified in the case of damage to small Hindu shrines in the Goan countryside.

Faith-based media outlets reported Hindu extremists attacked Christian prayer meetings or Christian individuals in MP, Chhattisgarh, and Maharashtra. Christians alleged that Hindu groups, such as Dharma Sena or the Dharm Raksha Sena (Religion Protection Army) (DRS), disrupted prayer meetings, assaulted pastors and lay persons, and confiscated and destroyed religious material.

In Chhattisgarh, Karnataka, MP, Maharashtra, and Orissa, Christians claimed that authorities filed false charges of conversion by force and allurement and that the police were biased in registering complaints, doing so promptly only when the accused was a Christian.

On May 6, 2009, according to the Evangelical Fellowship of India, in the Nallasopara suburb of Mumbai, Maharashtra, members of a Hindu Group, Swami Narendra Maharaj Sansthan, attacked a Christian prayer meeting and injured Pastor James Samuel and 10 worshippers. The attackers forced the Christians at the prayer meeting to chant a Hindu religious cheer. Police arrested five attackers and charged them with rioting.

On May 3, 2009, according to the Evangelical Fellowship of India, 15 Hindus attacked a prayer meeting in Bilaspur, Chhattisgarh, burned Bibles and Christian literature, broke household goods, uttered verbal abuse, and threatened the group with dire consequences if they continued their religious gatherings. The police registered a complaint but did not arrest anyone.

On April 20, 2009, in Durg District, Chhattisgarh, local Sikhs assaulted visiting Christian pastors from New Delhi who were converts from Sikhism. The Sikhs were offended that the converts still had long hair and beards, the cultural/religious symbols of Sikhism. The Sikhs accused the pastors of causing division within the local Sikh community and demanded their arrest. Police rescued the pastors and put them on the train to New Delhi but did not take action against the attackers.

On April 19, 2009, according to the *Times of India*, 25 Hindu extremists vandalized a 100-year-old church in Saoner, 25 miles from Nagpur, Maharashtra. During Sunday Mass, they tore up several religious books including the sanctuary Bible and committed other vandalism. The priest and two believers received minor injuries. Nagpur district police arrested seven persons, including two members of the VHP and Bajrang Dal.

The *Times of India* reported that on January 26, 2009, Hindu extremists in the Nasik District of Maharashtra disrupted a baptism at Navjivan Fellowship Church and beat those present.

On August 10, 2008, three Hindu extremists allegedly assaulted a pastor from the Indian Full Gospel Church in a village in the Rajnandgaon District of Chhattisgarh. Hindu extremists repeatedly kicked and punched the pastor, accusing him of conducting forced conversions. The pastor later filed a complaint against the extremists at the local police station, but withdrew it once the extremists agreed not to harass the Christians in the village.

According to religious media, there were reported acts of violence during the reporting period against Christians in the state of Karnataka. Religious press reported injuries to pastors and congregants (male and female), threats and intimidation, and destruction of property and places of worship. Attackers disrupted prayer meetings and church services.

There were numerous reports of violence against Christians in Maharashtra.

In Kandhamal, Orissa State, individuals affiliated with left-wing Maoist extremists killed Hindu religious leader Swami Laxmanananda Saraswati and four Vishwa Hindu Parishad (VHP) workers on August 23, 2008. Although ultraleft Maoists claimed responsibility, the murders exacerbated underlying socio-economic tensions between the dalits and the tribals and unleashed a wave of revenge killings, assaults, and property destruction. According to widely accepted government statistics, 40 persons died and 134 were injured; most of the victims were Christians. The large-scale violence, which included the August 25 alleged rape of a Christian nun, attracted worldwide media attention. The central Government sent 39 companies of paramilitary forces to restore peace and security. State authorities established 18 emergency camps to house displaced persons, worked with NGOs to deliver assistance and relief to victims, and allocated funds to compensate next of kin and repair damaged houses, businesses, and places of worship. The police arrested 1,200 persons and registered more than 1,000 criminal cases. On April 21, 2009, police arrested Maoist leader P. Rama Rao in connection with Saraswati's murder. According to several independent accounts, an estimated 3,200 refugees remained in relief camps, down from 24,000 in the immediate aftermath of the violence.

In March 2009 Orissa's ruling party, Biju Janata Dal, terminated its 11-year alliance with its coalition partner, the BJP, reportedly in part over differences in responding to the Kandhamal violence. The state government, supplemented by central police, ensured that all communities in Kandhamal were able to freely and fairly exercise their franchise in April 2009 state and parliamentary elections. Since the reelection of the Biju Janata Dal Party, without its former coalition partner, the state government has worked with the central government to rebuild communities in Kandhamal both through infrastructure improvements and peace councils with various stakeholders. In June 2009 the central Government disbursed \$ 300,000 (Rs. 14,648,437) compensation to the next of kin of 35 Kandhamal riot victims.

Faith-based media documented acts of vandalism against religious properties during the reporting period. Faith-based groups reported seven such attacks, including several cases of arson in the western part of the country. In most cases, police registered a complaint but made no arrests.

On April 19, 2009, in Saoner, Maharashtra, approximately 20 Bajrang Dal members armed with sticks vandalized Douglas Memorial Church during a service.

On October 22, 2008, in Tikamgarh District, MP, arsonists attacked a Catholic church. Police helped to extinguish the fire, and a complaint was lodged.

On September 18, 2008, in Jabalpur District, MP, Dharam Sena members set on fire Sts. Peter and Paul Cathedral. Police conducted an investigation.

On September 13, 2008, in Indore, MP, Hindu extremists allegedly set a church on fire. A complaint was filed with the police.

On September 7, 2008, in Ratlam District, MP, alleged members of the Bajrang Dal and VHP burned a church. A complaint was filed, but there were no arrests.

On August 29, 2008, in Gwalior District, MP, members of VHP and Bajrang Dal targeted four schools (Carmel Convent School, St. Teresa's School, St. Paul School, and St. Paul Evangelical Lutheran School) with verbal abuse and vandalism. Fast police response limited damage, and the attacks were investigated. The outcome of the investigations was unknown.

On July 3, 2008, in Dindori District, MP, Hindu fundamentalists including two police constables entered the houses of several Christians, tearing up religious pictures and burning Bibles.

There were no reported incidents of forced reconversions of Christian tribals to Hinduism during the reporting period. According to the Christian Legal Association, in 2008 60 families were reconverted to Hinduism in Himachal Pradesh; no complaint was filed under the Himachal Pradesh Freedom of Religion Act.

Discrimination based on caste is officially illegal but remained prevalent, especially in rural areas, where low-caste Muslim, Christian, Hindu, Buddhist, and Sikh Dalits faced impediments to social advancement. Some Dalits who sought to convert out of a desire to escape discrimination and violence encountered hostility and backlash from upper castes.

Despite government measures, the practice of dedicating Devadasis reportedly continued in several southern states, including Andhra Pradesh and Karnataka. Devadasis are young, generally prepubescent girls who are dedicated to a Hindu deity or temple as "servants of god." They may not marry, must live apart from their families, and are required to provide sexual services to priests and others. Reportedly, many Devadasis eventually are sold to urban brothels. The Devadasi tradition is linked, to some degree, to both trafficking and the spread of HIV/AIDS. Since Devadasis are by custom required to be sexually available to higher caste men, it reportedly is difficult for them to obtain justice from the legal system if they are raped. Estimates of the number of Devadasis in the country varied; in Karnataka, media sources reported as few as 23,000 and as many as 100,000. The Karnataka State Women's Development Corporation claims to have enumerated 22,873 Devadasis in the state and to have rehabilitated 11,342 Devadasis by providing them seed capital to set up small businesses.

#### **Section IV. U.S. Government Policy**

The U.S. Embassy and the four U.S. consulates continued to promote religious freedom through discussions with the country's senior leadership, as well as with state and local officials. The Embassy and consulates also regularly met with civil society activists and religious leaders and reported on events and trends that affect religious freedom.

The U.S. Government supported a wide range of initiatives to encourage religious and communal tolerance and freedom. Members of the embassy community celebrated Hindu, Muslim, Christian, Sikh, Buddhist, and Jewish festivals throughout the reporting period with members of the various religious communities. The Embassy and consulates also hosted and attended Iftars during the Islamic holy month of Ramadan. Mission officers met regularly with religious leaders to learn more about their beliefs and their relationships with other religious communities.

Throughout the reporting period, mission officers investigated and reported on numerous cases of alleged religious persecution, ongoing cases in Gujarat, attacks against Christians in Orissa, discrimination against Dalits, and religiously motivated attacks by militants and terrorists.

Mission officers also monitored the plight of internally displaced Kashmiri Hindus, known as Pandits, who fled their home areas in the valley of Kashmir starting in 1989 due to attacks by terrorists seeking to drive out non-Muslims.

Embassy officers regularly met with commissioners from the NHRC and NCM regarding actions by the state government that were injurious to the free exercise of belief by religious minorities.

During the reporting period, embassy and consulate officials met with leaders of all significant religious minority communities to discuss religious freedom concerns. The NGO and missionary communities in the country were extremely active on questions of religious freedom, and mission officers met regularly with local NGOs.

The U.S. Government continued to express concern over the anti-Muslim violence in Gujarat in 2002 and urged the perpetrators of the violence to be brought to justice. Consulate and senior embassy officers also met in Mumbai with a range of NGO, business, media, and other contacts, including Muslim leaders, to monitor the aftermath of the Gujarat violence. The Embassy and consulates reached out to madrassahs directly and through special International Visitor Leadership Programs; religious freedom, tolerance, and respect for diversity were topics of discussion.