

# INDIA 2016 INTERNATIONAL RELIGIOUS FREEDOM REPORT

## Executive Summary

The constitution provides for freedom of conscience and the right of all individuals to freely profess, practice, and propagate religion; mandates a secular state; requires the state to treat all religions impartially; and prohibits discrimination on the basis of religion. It also states citizens must practice their faith in a way that does not adversely affect public order, morality, or health. Six out of 29 state governments enforce anticonversion laws. State governments recognized Gujarat's Jain community and Maharashtra's Jewish community as minority groups in May and June respectively. The Supreme Court was considering a case challenging the constitutionality of the Islamic practice of instantaneous "triple *talaq*" divorce; the federal government filed a brief in support of the challenge. Courts issued final decisions in several long-standing cases pertaining to religiously motivated violence. Authorities investigated 12 police officers in Madhya Pradesh on charges of attempted murder of a Hindu arrested for writing defamatory commentary about Islam. Authorities frequently did not prosecute members of vigilante "cow protection" groups who attacked alleged smugglers, consumers, or traders of beef, usually Muslims, despite an increase in attacks compared to previous years. Courts also issued decisions on several long-standing cases related to religiously motivated violence and riots. Christian and Muslim activists stated the government was not doing enough to protect them against religiously motivated attacks. The government filed a Supreme Court petition challenging the minority status of Muslim educational institutions, which affords the institutions independence in hiring and curriculum decisions. Some nationalist political leaders advocated for the country to be declared a Hindu state.

There were reports of religiously motivated killings, assaults, riots, discrimination, vandalism, and actions restricting the right of individuals to practice their religious beliefs and proselytize. There was an increase in violent incidents by cow protection groups against mostly Muslim victims, including killings, mob violence, assaults, and intimidation. Hindus threatened and assaulted Muslims and Christians and destroyed their property. According to the Evangelical Fellowship of India (EFI), there were more than 300 incidents of abuse targeting Christians during the year, compared with 177 in 2015. Incidents included assaults on missionaries, forced conversions of non-Hindus, and attacks on churches, schools, and private property. Administrators at some Muslim and Christian schools and graveyards denied their facilities to interreligious couples or their children. The

Ministry of Home Affairs (MHA) reported 751 conflicts between religious communities, which resulted in 97 deaths and 2,264 injuries in 2015.

Senior U.S. government visitors underscored the importance of tolerance throughout the year, including the Secretary of State during his August visit to New Delhi. The U.S. Ambassador spoke at a Muslim university on the importance of religious diversity. The U.S. Ambassador at Large for International Religious Freedom visited New Delhi, Bangalore, and Mumbai to engage with government officials, religious leaders, and human rights activists to discuss religious freedom issues. The U.S. embassy and four consulates general continued to discuss religious freedom issues with political leaders, state and local officials, religiously affiliated organizations, and civil society groups from all religious communities.

### **Section I. Religious Demography**

The U.S. government estimates the total population at 1.3 billion (July 2016 estimate). According to India's 2011 census, the most recent year for which disaggregated figures are available, Hindus constitute 79.8 percent of the population, Muslims 14.2 percent, Christians 2.3 percent, and Sikhs 1.7 percent. Groups that together constitute less than 1 percent of the population include Buddhists, Jains, Zoroastrians (Parsis), Jews, and Bahais. The Ministry of Tribal Affairs officially classifies the more than 104 million members of Scheduled Tribes – indigenous groups historically outside the caste system who often practice animism and indigenous religious beliefs – as Hindus in government statistics.

According to the same government estimates, there are large, minority Muslim populations in the states of Uttar Pradesh, Bihar, Maharashtra, West Bengal, Telangana, Karnataka, and Kerala; Muslims constitute 68.3 percent of the population in the state of Jammu and Kashmir, the only state in which they constitute a majority of the population. Slightly more than 85 percent of Muslims are Sunni; most of the rest are Shia. Christian populations are found across the country but in greater concentrations in the northeast, as well as in the southern states of Kerala, Tamil Nadu, and Goa. Three small northeastern states have large Christian majorities: Nagaland (90 percent), Mizoram (87 percent), and Meghalaya (70 percent). Sikhs constitute 54 percent of Punjab's population, with an estimated 16 million members according to the 2011 census. The Dalai Lama's office estimates there are significant resettled Tibetan Buddhist communities in Himachal Pradesh, Karnataka, Uttarakhand, and Delhi. In a 2009 parliamentary report, the MHA estimated the total number of Tibetan Buddhists in India to be 110,000.

## Section II. Status of Government Respect for Religious Freedom

### Legal Framework

Subject to considerations of public order, morality, and health, the constitution provides for freedom of conscience and the right of all individuals to profess, practice, and propagate religion freely, and mandates a secular state. It prohibits government discrimination on the basis of religion, including with regard to employment, as well as any religion-based restrictions on individuals' access to public or private facilities or establishments open to the general public. The constitution states 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 compelling anyone to pay taxes to promote or maintain any specific religion. National and state laws make freedom of religion "subject to public order, morality, and health." The constitution stipulates that the state shall endeavor to create a uniform civil code applicable to members of all religions across India.

There are laws restricting religious conversion in seven of the 29 states: Arunachal Pradesh, Gujarat, Himachal Pradesh, Chhattisgarh, Odisha, Madhya Pradesh, and Rajasthan. Six of these states enforce the laws; there is no implementing legislation for the anticonversion law in Arunachal Pradesh. Gujarat mandates prior permission from the district magistrate for any form of conversion and punishes forced conversions with up to three years' imprisonment and a fine up to 50,000 rupees (\$751). Chhattisgarh and Madhya Pradesh prohibit religious conversion by the use of "force," "allurement," or "fraudulent means" and require district authorities be informed of any conversions one month in advance. Violators are subject to fines and other penalties, including prison sentences of up to three years in Chhattisgarh and up to four years in Madhya Pradesh if the converts are minors, women, or members of government-designated, historically disadvantaged groups (known as Scheduled Castes or Scheduled Tribes). According to the Supreme Court, converting from Hinduism to another religion ordinarily "operates as an expulsion from the caste" since caste is a function of Hindu society, and members of that society determine caste affiliation. Societal definitions of caste affiliation are determinative of a person's eligibility for government benefits based on caste.

Himachal Pradesh and Odisha maintain similar prohibitions against conversion through force, inducement, or fraud and bar individuals from abetting such conversions. In Himachal Pradesh, penalties are up to two years' imprisonment

and/or fines of 25,000 rupees (\$375). Punishments for conversions involving minors, Scheduled Caste or Scheduled Tribe members, or, in the case of Odisha, women, may consist of jail sentences rather than fines. Separately, the law in Odisha requires individuals who wish to convert to another religion, and clergy intending to officiate in a conversion ceremony, to make a formal notification to the government. In Rajasthan, the law requires any citizen intending to convert to give the government 30 days' notice or face a fine of 1,000 rupees (\$25). The Rajasthan law includes restrictions on the use of money by religious societies or trusts and additional penalties, including imprisonment or increased fines, for forced or induced conversions of underage persons, women, or members of the low-caste Dalit community.

Under Andhra Pradesh and Telangana law, authorities may prohibit proselytizing near a place of worship of another religion. Punishment for violations can include imprisonment for up to three years and fines of up to 5,000 rupees (\$75).

Federal law empowers the government to ban religious organizations that provoke intercommunal tensions, are involved in terrorism or sedition, or violate laws governing foreign contributions.

The federal penal code criminalizes “promoting enmity between different groups on grounds of religion,” as well as “acts prejudicial to maintenance of harmony,” including acts that cause injury or harm to religious groups and members. The penal code also prohibits “deliberate and malicious acts, intended to outrage religious feelings of any class by insulting its religion or religious beliefs.” Violations of any of these provisions are punishable by imprisonment for up to three years, a fine, or both. If the offense is committed at a place of worship, imprisonment may be for up to five years.

There are no requirements for registration of religious groups, although federal law requires religiously affiliated organizations to maintain audit reports on their accounts and a schedule of their activities and to provide these to state government officials upon request.

The constitution states any reference to Hindus is construed as containing a reference to followers of Sikhism, Jainism, and Buddhism, who are subject to Hindu laws, such as the Hindu Marriage Act. Subsequent legislation passed throughout the 1950s continues to use the word Hindu to include Sikhs, Buddhists, Jains and others, but clarifies that these are separate religions whose followers are included under this legislation.

Federal law provides minority community status to six religious groups: Muslims, Sikhs, Christians, Parsis, Jains, and Buddhists. State governments have the power to grant minority status to religious groups that are minorities in a particular region and designate them as minorities under the law in that state. In May and June respectively, the Gujarat government legally recognized the Jain community and the Maharashtra government legally recognized the Jewish community as minority religious groups. The status makes these groups eligible for several government assistance programs. The constitution states the government will protect the existence of religious minorities and encourage conditions for the promotion of their individual identities.

Personal status laws are applicable only to certain religious communities in matters of marriage, divorce, adoption, and inheritance. The government grants significant autonomy to personal status law boards in drafting these laws. Law boards are selected by community leaders; there is no formal process and selection varies across communities. Hindu, Christian, Parsi, and Islamic personal status laws are legally recognized and judicially enforceable. These laws, however, do not supersede national- and state-level legislative powers or constitutional provisions. If the law boards cannot offer satisfactory solutions, the case is referred to the civil courts.

Federal law permits interreligious couples to marry without religious conversion. Interreligious couples, as all couples marrying in a civil ceremony, are required to provide public notice 30 days in advance, including addresses, photographs, and religious affiliation, for public comment. Hindus, Buddhists, Sikhs, or Jains who marry outside their religions, however, face the possibility of losing their property inheritance rights under those communities' laws.

The law recognizes the registration of Sikh marriages. There are no divorce provisions for Sikhs under the personal status laws, however, and other Sikh personal status matters fall under Hindu codes. Any person, irrespective of religion, may seek a divorce in civil court under the law.

The constitution prohibits religious instruction in government schools. The law permits private religious schools.

Twenty-four of the 29 states have imposed full to partial restrictions and penalties on the slaughter of bovines. Penalties vary among states, and may also vary based on whether the animal is a cow, calf, bull, or ox. In the majority of the 24 states where bovine slaughter is banned, punishments range from six months' to

two years' imprisonment and/or a fine of 1,000 to 10,000 rupees (\$15 to \$151). Rajasthan, Punjab, Haryana, Himachal Pradesh, and Jammu and Kashmir penalize cow slaughter with imprisonment of two to 10 years.

On May 6, the Bombay High Court decriminalized possession of beef imported from outside Maharashtra. The court ruled that a portion of the state's beef ban enacted in 2015 was unconstitutional, and the state could not disallow possession of beef from cows slaughtered outside the state, as it violated a citizen's right to possess and consume food of his or her choice.

A federal law, known as the Foreign Contribution Regulation Act (FCRA), regulates foreign contributions to nongovernmental organizations (NGOs), including faith-based organizations. Organizations with "definite cultural, economic, educational, religious or social programs" must receive a certificate of registration from the government in order to receive foreign funds. The federal government may also require that certified organizations obtain prior permission before accepting or transferring foreign funds. The federal government may reject an application for a certificate of registration or a request for prior permission to transfer funds if it judges the recipient to be prejudicially affecting "harmony between religious, racial, social, linguistic, regional groups, castes, or communities."

The National Commission for Minorities, which includes representatives from the five designated religious minorities and the National Human Rights Commission, is tasked with investigating allegations of religious discrimination. The Ministry of Minority Affairs may also conduct investigations. These bodies have no enforcement powers but launch investigations on the basis of written complaints by plaintiffs charging criminal or civil violations and submit their findings to law enforcement agencies for action. Sixteen of India's 29 states and the National Capital Territory of Delhi have state minorities commissions, which also investigate allegations of religious discrimination.

The constitution allows for a form of affirmative action for Scheduled Caste or Scheduled Tribe communities, and the law subsequently added the "Other Backward Class" category for groups deemed to be socially and educationally disadvantaged. Since the constitution specifies only persons who are Hindu, Sikh, or Buddhist shall be deemed a member of a Scheduled Caste, the only means through which Christian and Muslim individuals may qualify for affirmative action benefits as members of religious communities is if they are considered members of the "backward" classes due to their social and economic status.

The government requires foreign missionaries of any religious group to obtain a missionary visa.

The country is a party to the International Covenant on Civil and Political Rights.

### **Government Practices**

Authorities investigated 12 police officers in Madhya Pradesh on charges of attempted murder of a Hindu nationalist arrested for writing defamatory comments about Islam. Authorities often failed to prosecute violence by cow protection groups against persons, mostly Muslims, suspected of slaughtering or illegally transporting cows or trading in or consuming beef. Courts issued final verdicts in several long-standing legal cases related to religiously motivated violence and riots. Other such cases continued to go forward slowly. The government challenged the minority status of Muslim educational institutions in the Supreme Court. The Bombay High Court rejected an application to suspend a local government order making yoga and “sun salutation” mandatory in public schools in Mumbai. The Supreme Court was hearing an appeal of a case challenging the constitutionality of the Islamic practice of instantaneous “triple *talaq*” divorce, based on the argument that it violates gender equality protections under India’s constitution. The federal government supported the challenge.

In September prosecutors in Madhya Pradesh filed charges against 12 police officials for attempted murder after Suresh Yadav, a member of Rashtriya Swayam Sevak (RSS), a Hindu nationalist organization, reported that he was tortured and severely beaten while in police custody. On September 25, Balaghat police had detained Yadav after a group of Muslims complained that he had posted a defamatory comment about Islam on social media. The court case against the 12 police officers had not yet begun at year’s end. On September 28, the Madhya Pradesh government suspended a senior police official and his subordinates posted in Balaghat after charging them with attempted murder. In October the family members of police officials charged in the case sought protection, citing fear of backlash from RSS, Hindu nationalist group Bajrang Dal, and other Hindu groups.

On September 6, the Central Bureau of Investigation (CBI) charged Dr. Virendra Tawade and two other members of Hindu nationalist group Sanatan Sanstha with the 2013 killing of “antisuperstition” activist Dr. Narendra Dabholkar in Pune. The CBI had arrested Tawade on June 10. According to Maharashtra Andhashraddha Nirmoolan Samiti, an NGO, “antisuperstition” activists oppose

harmful superstitions, promote humanism and critical thinking, and encourage critical analysis of religion and are often referred to as “rationalists.”

On July 31, police used batons and fired 24 tear gas shells to subdue Muslim demonstrators in Surat, Gujarat. The demonstrators sought immediate police action against those responsible for a viral internet video accusing Muslims of “love jihad,” a term describing an alleged strategy by Muslim men of marrying women of other faiths for the purpose of converting them to Islam.

In February police started an investigation into Mumbai resident Sadik Shaikh’s accusation that the police in Malad, a suburb of Mumbai, assaulted and threatened to frame him in a terror-related case after his stepmother filed a police complaint objecting to his conversion to Islam. The investigation remained ongoing at year’s end.

On January 13, Madhya Pradesh police arrested two members of the Gau Raksha Samiti (Cow Protection Committee) following their assault of a Muslim couple at the Khirkiya railway station. The members of the Gau Raksha Samiti stated they seized a bag of beef, although laboratory tests later confirmed it was buffalo meat.

On August 6, the former Press Council of India Chairman and retired Supreme Court Justice Markandey Katju led a commission investigating police shootings of Sikh protesters during widespread protests, in which two people were killed and 80 injured in Punjab in October 2015. The Sikhs protested in five districts after reports a Sikh holy book had been desecrated by unknown assailants. The commission carried out its investigation of the incident, known as the Behbal Kalan Firing, at the behest of NGOs such as the Sikhs for Human Rights, the Punjab Human Rights Organization, and Lawyers for Human Rights International, after the groups stated that the Punjabi police force used excessive and unprovoked force against a peaceful gathering. The commission recommended charges against the police officers involved for “unwarranted firing” and compensation within six months of 2.5 million rupees (\$36,700) and regular employment to family members of Gjureet Singh and Krishan Bhagwan Singh, who were killed in the shootings. The government also established its own parallel investigation, which remained ongoing at year’s end. By year’s end, authorities had not paid compensation to the victims. According to family members, authorities had provided one of the next of kin of one of the dead men with a job at a government school.

On August 4, the Gujarat High Court sentenced to life imprisonment 11 of the 27 people accused of burning a father and his daughter to death in Mehsana

District during 2002 Gujarat communal riots. The High Court acquitted the remaining 16. Four of the 11 convicted were fugitives who remained at large at year's end.

In a July 27 ruling on an appeals case, the Gujarat High Court sentenced seven people to life imprisonment and upheld life imprisonment for two others for killing three Muslims near Valana railway crossing in Viramgam during the 2002 Gujarat riots. The High Court acquitted the 10th person accused in the case. A lower court had previously acquitted or given reduced sentences to the seven people the High Court subsequently sentenced to life imprisonment.

On June 17, a Gujarat special court convicted 24 people (11 of whom received sentences of life imprisonment), and acquitted 36 others for their role in the Gulberg Society neighborhood attack involving a mob killing of 69 people during the 2002 Gujarat riots. This was one of 10 mass killings in 2002 in Gujarat in retaliation for the burning to death of 59 Hindu pilgrims on a train on February 27, 2002. At year's end, the Gujarat High Court was still reviewing an appeal brought by Zakia Jafri, one of the Gulberg Society survivors, of a Gujarat lower court's 2013 verdict.

In November the central government announced it would reopen 58 cases under the purview of a special investigation team within the home ministry related to anti-Sikh riots that occurred in Delhi and Punjab in 1984. In August the Haryana State government was the first in the country to disburse compensation to victims of the 1984 riots. Based on recommendations from a commission of inquiry headed by former Punjab and Haryana High Court Justice T.P. Garg, the state government allotted 120 million rupees (\$1.8 million) in July for the victims residing within the Gurgaon and Pataudi area. The Chairman of the National Minorities Commission, Naseem Ahmed, distributed checks to the first 42 victims.

On August 2, the Supreme Court asked the Odisha government to reinvestigate 315 cases pertaining to anti-Christian violence in 2008 in Kandhamal District. The 315 cases, part of a total of 827 registered cases involving the 2008 violence, had been closed on grounds there was insufficient evidence against the accused or the offenders could not be traced. According to an affidavit filed by the Odisha government, charges were filed in the other 512 cases. Of these 512, trials were completed in 362 cases, resulting in only 78 convictions. The other cases in which the government filed charges remained pending. The Supreme Court also directed the state government to pay additional compensation of 200,000 rupees (\$2,928) to each of the families of the dead, 70,000 rupees (\$1,025) to those whose houses

were fully damaged, 30,000 (\$439) rupees to those whose houses were partially damaged, and 10,000-30,000 rupees (\$146-\$439) to the injured based on the seriousness of the injury. Although reportedly pleased with the Supreme Court's intervention, Christian groups expressed dissatisfaction with the manner of prosecuting these cases and with the compensation given to victims.

The high-profile killing of Mohammad Akhlaq Saifi by a mob who believed he had slaughtered a cow in Dadri, Uttar Pradesh in September 2015 continued to generate publicity and controversy. A local court ordered a criminal complaint to be filed against the family of Akhlaq under existing legislation protecting cows. In September investigating officials concluded there was no evidence to prove Akhlaq or the family ever slaughtered a cow. The men charged with killing Akhlaq remained in prison, and their case was pending with the Allahabad High Court at year's end.

In April the Madhya Pradesh High Court granted bail to six Muslims arrested on sedition charges after their counsel argued that police had added sedition charges following pressure from the nationalist Hindu group Vishwa Hindu Parishad (VHP).

On January 14, Madhya Pradesh police arrested 12 people, including a visually impaired couple, from the village of Pipirpura, after Hindu activists alleged they had attempted to convert Hindus to Christianity. The local court released them on bail the next day.

On March 14, police in Rajasthan arrested four students from Jammu and Kashmir after local students had confronted the Kashmiris and accused them of cooking beef in a hostel in Mewar University in Chittorgarh. The Kashmiri students were released on bail, and charges were later dropped after a lab report determined the meat was not beef.

On April 27, the Madhya Pradesh police stopped a wedding ceremony in a church in Satna and arrested 10 people after Bajrang Dal and a Madhya Pradesh Backward Caste Commission member, Laxmi Yadav, alleged conversion of a minor Hindu girl to Christianity through the marriage. The court released those arrested, including the pastor and the groom's parents, a day later.

At year's end, the Supreme Court was still considering an appeal filed in February by a Muslim woman, Shayara Banu, arguing that the practice of Muslim personal law allowing men to execute a divorce by saying "*talaq*" (Arabic for divorce) three

times and engage in polygamy, as well as the practice of *halala* (by which a woman cannot remarry a husband from whom she is divorced without first consummating and ending a marriage with another man) was unconstitutional. On October 7, the federal government filed an affidavit in support of Banu's case, pleading that triple *talaq* and polygamy violated the constitution's guarantee of gender equality. During his speech at Mahoba, Uttar Pradesh on October 24, Prime Minister Modi stated there should be no discrimination against women on the basis of religion and the government had the responsibility to protect Muslim women's constitutional rights. The All India Muslim Personal Law Board, an NGO established to protect the applicability of sharia law to Muslims, and some Muslim clergy criticized the government for interfering in personal religious laws protected by the constitution. Muslim community leaders characterized government actions as interfering in religious life and maintained that religious decisions should remain the exclusive domain of religious communities. Muslim women's rights groups, such as the Bharatiya Muslim Mahila Andolan and All India Muslim Women's Personal Law Board, however, opposed triple *talaq* in the Supreme Court, stating the practice was not supported in the Quran.

On August 16, the central government submitted a petition to the Supreme Court challenging the codification of Aligarh Muslim University (AMU), the oldest Islamic university in the country, as a "minority status" institution. The petition argued AMU received funds from the central government without reserving the required seats for members of disadvantaged castes and tribes, and the institution had not originally been founded as a minority university by the British. AMU was given time to argue its case before the Supreme Court. AMU stated that it was open to students from all religious groups and courses on Islam were optional. University administrators and other critics charged the central government with trying to undermine the autonomy of one of the world's leading Islamic institutions of higher learning. AMU advocates said without minority status the university would lose its ability to make its own hiring decisions and choose its curriculum.

On September 16, the Bombay High Court refused to grant an interim stay filed by Massod Ansari, a social worker, on the resolution by the Municipal Corporation of Greater Mumbai's (the municipal council) to make yoga and *surya namaskar* (sun salutation) mandatory in public schools. The court ruled the sun salutation was a form of exercise and rejected Ansari's argument that it would force non-Hindu children to follow a Hindu faith practice. At year's end, yoga and sun salutation remained mandatory in public schools in Mumbai.

On May 6, the Bombay High Court decriminalized possession of beef imported from outside Maharashtra. The court ruled that a section of Maharashtra's 2015 beef ban was unconstitutional and the state could not disallow possession of beef from cows slaughtered outside the state, as doing so would violate a citizen's right to possess and consume food of their choice. Consumers, butchers, and sellers among others in Maharashtra State said they remained vulnerable to prosecution in court because the burden of proof that the cow was not slaughtered in Maharashtra rested on the accused.

In early December 2015, Haryana Chief Minister M.L. Khattar established a government entity called Gau Seva Ayog (Cow Service Organization) to prevent cow slaughter in the state. On August 28, shortly before Eid al-Adha, the Gau Seva Ayog directed Haryana police to collect seven samples of biryani from roadside sellers to ensure they did not contain beef. According to media reports, Muslim communities stated they felt specifically targeted. On September 6, social activist Shehnaz Poonawalla submitted a petition to the National Commission for Minorities (NCM) against the Gau Seva Ayog, asking the NCM to direct the central government and Ministry for Home Affairs to demand the group cease its activities, stating that the entity was harassing Muslim communities.

In June then-Member of Parliament (MP) and later Uttar Pradesh Chief Minister Yogi Adityanath of the Bharatiya Janata Party (BJP) stated Mother Teresa had been on a mission to "Christianize India." Catholic Archbishop Thomas Menamparampil called Adityanath's comments "rash" and denied Mother Teresa had engaged in proselytizing. EFI reported tensions surrounding the canonization of Mother Teresa, which occurred on September 4. Some social media users stated Mother Teresa had engaged in forcible conversions.

On July 24, the President of the regional Maharashtra Hindu nationalist Shiv Sena Party, Uddhav Thackeray, in an interview with his party's publication *Samana*, called for declaring the country a Hindu state in order to prevent attacks on Hindus.

Members of civil society expressed concerns that, under the BJP government, religious minority communities felt vulnerable due to Hindu nationalist groups engaging in violence against non-Hindu individuals and places of worship. Religious minority communities stated that, while the national government sometimes spoke out against incidents of violence, local political leaders often did not, which left victims and minority religious communities feeling vulnerable. Minority religious groups expressed concern national education reforms would

incorporate Hindu practices and teachings into secular public schools and private schools operated by minority faith communities. Christian groups cited the government's introduction of Good Governance Day on December 25, as an effort to diminish the significance of Christmas, which is an official national holiday. Groups expressed fears of further reforms to education policies and civil laws that would minimize religious minority communities' control over their own affairs.

In November MHA denied FCRA registration renewals for NGO Compassion International's two main implementing partners. While MHA stated more than 1,300 other NGOs of various types also had their registration renewals denied because of FCRA regulation compliance issues, Compassion International and some media and civil society representatives stated Compassion International's partner organizations were targeted because MHA alleged they were involved in conversions or other religious activities. Some other foreign-funded religious NGOs did not report any FCRA-related issues with operations in India.

On May 15, local government officials demolished a cross and an altar of a makeshift church erected on a piece of land allotted by the government to the Agape Gospel Ministries, a registered Christian NGO, in Nizampet village near Hyderabad, Telangana State. A police investigation initiated at the direction of the State Commission for Minorities concluded the government officials demolished the cross and the altar "by misconception." On August 11, the commission directed the Telangana State government to either reconstruct the demolished portions of the church or pay suitable compensation. By year's end, information as to whether the state government had complied with the directive was unavailable.

The central government stated the Ahmadiyya Muslim Community would be included, for the first time, as a subset of the Muslim community in the next census in 2021.

On October 14, Minister of Home Affairs Rajnath Singh addressed the National Christian Leaders Conference and said, "Tolerance is essential for peaceful existence. People from all religions live peacefully in India and practice their religion without any fear of discrimination ... I would like to say that religious persecution will never be allowed in India."

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

There were reports of hundreds of religiously motivated killings, assaults, riots, restrictions on the right to practice religion and proselytize, discrimination, and

attacks against property. Groups most frequently targeted were Muslims and Christians. Cow protection groups, many of whose members believed cow slaughter and eating beef were an attack on the Hindu deities representing motherhood, carried out an increasing number of violent attacks, including killings, beatings, harassment, and intimidations, against consumers of beef or those involved in the beef industry.

According to the MHA 2015-16 Annual Report, 751 communal incidents (defined by authorities as violent conflicts involving religious communities on the issues of organizing religious congregations, desecration of religious symbols, and the ownership of community properties and facilities) took place in 2015, resulting in 97 deaths and 2,264 injuries. Although MHA stated there were no major outbreaks of communal violence in the country in 2015, statistics showed an increase in overall instances of communal violence reported compared to the previous year when the MHA recorded 644 communal incidents, resulting in 95 deaths and 1,921 injuries.

EFI reported more than 300 attacks against Christians or their churches during the year, compared to 177 in 2015. Incidents included assaults on religious workers and attacks on Christian churches, private property, and missionary schools and institutions. According to EFI, local police seldom provided protection, did not accept complaints, and rarely investigated incidents.

On March 18, villagers of Jhabar in Jharkhand's Latehar District found the dead bodies of Muslim cattle traders Mohammad Majloom and Inayatullah Khan hanging from a tree. Police arrested five men, including one linked to a cow protection group.

On April 17, there was a violent altercation between Hindus and Muslims in Hazaribagh, a town in Jharkhand State. Media outlets reported a Hindu Ram Navami festival procession played recorded slogans while passing through a predominantly Muslim neighborhood, which the neighborhood's residents found objectionable. According to media reports, in the ensuing violence, three people were killed and six injured, while 30 shops – most of them belonging to Muslims – were burned. Police arrested approximately 25 individuals.

On April 2, the body of a man missing for a month was found in Kurukshetra in Haryana. The victim's father accused four members of a cow protection group, and the Haryana High Court ordered a CBI probe.

On August 18, Mangalore Catholic Diocese members said supporters of Hindu nationalist group Jagrana Vedike attacked and killed a Hindu, Praveen Poojary, in Karnataka State's Udupi district, while he was transporting calves, which the attackers believed he was going to slaughter. Police arrested 18 individuals for the killing and were investigating the incident at year's end.

On August 25, according to press reports, a group of armed members of a cow protection group in Haryana State beat a Muslim man and his wife to death and raped the man's adult niece and her 14-year-old cousin. The adult victim said her attackers told her they were being raped because they ate meat. A two-member delegation of the NCM visited the area where the attack took place and supported the reports that cow protection groups played a role in the attack. Authorities charged four suspects with rape and murder. The case was pending at year's end.

On September 16, a Muslim man died from injuries sustained from a beating by a mob who suspected he was carrying two calves for slaughter for Eid al-Adha. The Ahmedabad police registered complaints against the victim for "illegally ferrying animals" and against the attackers. The police filed charges against the victim before he died and against three of the alleged attackers for murder. The case against the accused killers remained pending at year's end.

On September 20, police in Thane, Maharashtra State arrested a Muslim man, Shafiq Shamsuddin, for killing his cousin, Sufiya Mansuri, and her Hindu husband, Vijay Yadavat their residence. Shamsuddin was opposed to their interfaith marriage.

On March 23, a Pune court in Maharashtra State rejected the bail plea of Sameer Gaikwad, a member of Hindu nationalist group Sanatan Sanstha, who was arrested on charges of killing antisuperstition activist Govind Pansare on February 20, 2015. The trial had yet to begin at year's end.

On April 17, a Hindu attacked a Protestant Christian pastor and his pregnant wife, and tried to set them on fire in Bastar, Chhattisgarh.

On December 14, online magazine *Horizon Asia* reported 30 youths armed with sticks and batons beat a group of 20 Catholics (mostly women and children), including a parish priest, while the Catholics were returning from a carol service in Tikariya village in Rajasthan. The attackers reportedly chanted slogans of "*Bharat Mata ki Jai*" (Victory to Mother India). No arrests were reported.

On January 17, EFI reported a group of Hindus beat a Christian missionary for giving a Bible to a Hindu in Tamil Nadu State's Erode District. The Hindu had reportedly asked for the Bible. In a separate incident on the same day in Tamil Nadu's Theni District, assailants attacked a Pentecostal pastor with knives and sickles while he was conducting a prayer service, according to NGO Barnabas Aid. Police opened an investigation but had made no arrests by year's end.

On January 28, Human Rights Forum of Coimbatore, an NGO that investigates and assists victims of human rights violations, reported a group of young men attacked a Catholic priest working for Assissi Snehalaya, a home for people with AIDS near Coimbatore, Tamil Nadu State. In a separate incident on the same day, unidentified individuals attacked three employees of Assissi Snehalaya. Police arrested two persons in connection with the first attack, who were subsequently released on bail. In the second incident, police charged five individuals, who fled and remained at large at year's end. Investigations remained ongoing at year's end.

On March 6, Chhattisgarh police arrested nine people after they attacked a Protestant congregation in the village of Kachna, disrupted the congregation's prayer service, and vandalized their church. There were reports of minor injuries.

On July 26, two women were injured after members of a cow protection group beat them outside a railway station in Mandsaur, Madhya Pradesh State, after police arrested them for beef possession. Video by a spectator showed police taking no action during the beatings, which reportedly lasted close to half an hour. The women possessed 30 kilos of buffalo meat, which is not illegal. After tests determined the meat was buffalo and not beef, authorities charged the women with possessing the meat without a permit. Police arrested four men accused of assaulting the Muslim women. Authorities took no action against the police who stood by while the women were beaten.

In August the Chhattisgarh State Catholic Council held a press conference and made a public statement expressing concern over what the council said were increasing attacks on the community and its institutions, and the leveling of false charges of forced conversions and beef possession against Christians.

On February 20, 65 members of a Hindu nationalist group, Shivaji Jayanti Mandal, assaulted a Muslim police official, forced him to hoist a saffron flag – frequently a symbol of nationalist groups – and paraded him through Pangaon, Maharashtra State. The assault took place the day after police prevented the raising of the

saffron flag to mark Shivaji Jayanti, a Hindu holiday, in a neighborhood with historically tense interfaith relationships. The police officer called his station for reinforcements, but they did not arrive in time to stop the attack. Police arrested 46 people in connection with the incident; their trial remained pending at year's end.

On March 18, according to a media report that quoted police officials, unknown persons burned down a makeshift Christian prayer hall in Nizamabad District of Telangana State. The report stated that, prior to the arson, a mob attacked a local pastor and members of his congregation for allegedly trying to convert Hindus to Christianity. The attack on the pastor and congregation resulted in the hospitalization of six persons, including a four-year-old girl. A Telangana Rashtra Samithi MP representing the area, K. Kavita, dismissed any communal dimension to the incident and described it as an "accident."

On March 28, a member of a cow protection group stopped a truck carrying buffalo tallow on the Rupnagar-Kurali road in Punjab State and beat the driver, Balkar Singh. Singh was charged under a Punjabi law that restricts the slaughter of buffalo without a permit. His attacker was not charged.

On May 6, three cow protection group members beat a man in Sohna, Haryana State on suspicion that he was carrying beef. A fourth man recorded the beating while the others threatened the victim with a gun. According to press reports, authorities were investigating a complaint against the victim, but not his attackers.

On June 10, cow protection group members force-fed a cow-dung mixture to two men after intercepting them while transporting beef in Faridabad, Haryana State. A court sentenced the two men to jail for smuggling beef; the length of their sentence was pending at year's end. Authorities filed no charges against the attackers.

On July 31, cow protection group members beat a man for allegedly slaughtering cows in Muktsar District, Punjab. Authorities charged the man under the state's cow slaughter law. There were no charges against the attackers.

On May 31, a cow protection group seized seven men in Pratapgarh, Rajasthan for transporting 96 water buffalo in two trucks. A crowd of 100-150, which reportedly included members of Bajrang Dal, beat the three truck occupants, set the trucks on fire, and attacked police when they tried to intervene. Police arrested the two truck drivers and one attacker. Buffalo transport and slaughter in Rajasthan is legal.

On September 23, Muslim leaders in Coimbatore, Tamil Nadu State said members of VHP damaged shops of Muslim traders after accusing four men of killing their leader, C. Sasi Kumar. VHP members attacked the shops when Kumar's body was taken to a crematorium. Media reported the VHP members entered the majority-Muslim area of Kottaimedu and threw stones. A photojournalist who witnessed the incidents said VHP workers threw stones at every shop on Cross Cut Road in Coimbatore during the funeral procession. Police made no arrests. Media reported that, on the same day, individuals, who many believed were VHP members, threw a Molotov cocktail at a mosque in Rathina Sabapathi Puram in Coimbatore.

According to EFI's Hate and Targeted Violence report, on June 21, Hindu extremist groups threatened Pastor Shiv Dutt from the Brethren Assembly Billawar Church and told him to stop worship and prayer meetings in the Ramkote village of Kathua District in Jammu and Kashmir State.

On June 4, in New Delhi, EFI reported that a crowd of nearly 40 Hindus surrounded a vacation Bible school program for youth led by Pastor Rajpal Yadav. With nearly 200 students inside, the group shouted anti-Christian slogans and vandalized the venue. Police detained the pastor and an aide for what the pastor said was their protection.

A July report by the National Human Rights Commission (NHRC) cited harassment and threats of violence as the reasons for a mass migration of Hindu families from the Muslim majority city of Kairana, Uttar Pradesh State. There was an inflow of Muslim residents to Kairana after they were displaced by anti-Muslim violence in Uttar Pradesh in 2013. The NHRC report followed statements by BJP MP Hukam Singh, citing the exodus of Hindus from Kairana because of criminal activity by Muslim migrants. According to the NHRC report, 346 Hindu families were displaced. Citing 24 witnesses, the NHRC attributed the migration of Hindu families to the actions of Muslims, including taunting and shouting lewd remarks. After an inquiry, however, the Shamli District Administration, where Kairana is located, reported that of the 346 Hindu families the NHRC said had been displaced, 66 families had left Kairana more than 10 years earlier and 188 families had left more than five years earlier. Human rights activists acting on behalf of the Muslim community in Kairana, such as Harsh Mander, disputed the NHRC's findings that Hindus had been driven out by Muslim crime and called on the NHRC to withdraw and apologize for the report, which the human rights activists stated had been used to spread prejudice against the Muslim community.

The Ahmadiyya Muslim Community in Hyderabad complained of intimidation by other Muslim groups that considered the Ahmadis apostates. The Ahmadiyya Muslim Community representatives stated that other Muslim groups often prevented them from organizing public meetings, even after they obtained police permits.

On January 29, Catholic Archbishop Leo Comelio of Bhopal stated anticonversion legislation was misused in Madhya Pradesh to falsely accuse Christians of forced conversions.

According to a May 15 media report, police averted a clash between two groups in Keonjhar District in Odisha following Hindu protests against conversion of the local residents to Christianity by “force” or “allurement.” The protestors alleged that pastors from the neighboring state of Jharkhand were encouraging conversions with financial inducements and the conversions had led to rifts within families.

On July 18, three Muslim students at St. John Baptist High in Thane, Maharashtra State, complained to police that their principal, Father Michael Pinto, ridiculed them for being Muslims. They said Pinto accused the students’ community of being behind terrorist attacks earlier in the year in France and Bangladesh. According to media sources, the principal also directed a Muslim teacher trainee not to wear a burqa while attending the school. The police took Pinto into custody but released him a short time later after his accusers declined to formally register a case against him.

On February 15, a 19-year-old Hindu woman, Neeraja, told *News Minute* website that the Muslim Educational Society Fathima Gafoor Memorial Women’s College, a minority institution located in Kozhikode, Kerala State, had barred her from entering its premises because she had married a Muslim. Neeraja alleged that the vice principal told her marrying outside her religion was an “unpardonable offense” per the college’s policy on interreligious marriage.

On June 6, St John’s Attamangalam Church near Kottayam, Kerala State denied permission for the burial of Madhu Jyotsana Akhauri on the grounds she had married a Hindu. Authorities told the media the church had disowned Akhauri because she had lived as a Hindu. Akhauri was later buried at St. Thomas Jacobite Church in Ponkunnam in the same district.

According to the Commission for Minorities for Telangana and Andhra Pradesh States, the commission received complaints about the demolition of a cross and

altar in an Agape Gospel Church in Nazempet Village, an area where there had been conversions to Christianity. The commission stated it had also received several other complaints of illegal occupation of Christian and Muslim community properties, including graveyards. The commission, which collected data on incidents but lacked enforcement powers, said most local government officials failed to address complaints by religious minorities.

In June Hindu residents of Vadodara, Gujarat State petitioned the civic authorities to stop the relocation to the city of 218 displaced families (primarily Muslims) under a government housing initiative for the urban poor.

According to media reports, in June Manu Dabhi, a Dalit land owner in Ahmedabad, Gujarat State, refused to sign a note promising never to sell his land to a Muslim, as residents, with the support of VHP, had pressured him to do. Dabhi's employer, a Muslim, denied residents' charges he was using Dabhi as a front to own the land. The neighborhood where the property was located required legal permission of authorities to transfer real estate between owners of different faiths.

On September 19, Mumbai police arrested nine members of a housing association in Vasai, a Mumbai suburb, after a Muslim buyer, Vikar Ahmad Khan, objected to the association's unofficial policy prohibiting house sales to Muslims. On September 20, the housing association reversed its previous policy and allowed Khan to buy an apartment. The association also issued an apology to Khan. The arrested members were later released.

On October 4, Mumbai police arrested Barun Kashyap, alleging he falsely reported cow vigilante harassment in social media postings. Mumbai police investigating the incident charged Kashyap with fabricating the complaint and promoting enmity between Hindus and Muslims. At year's end Kashyap was free on bail pending trial.

On August 29, Muslim leaders of Dakshina Kannada District in Karnataka State said male students of Dr. K. Shivaram Karanth Government First Grade College in Bellare Village began wearing saffron shawls around their necks at the college in protest against female Muslim students wearing headscarves. Of the college's 492 students, 19 were Muslim, including 15 females. According to a local Hindu leader, after a meeting of parents and teachers, the boys agreed not to wear saffron shawls and the Muslim girls not to wear headscarves inside the college.

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

During an August speech in Delhi, the U.S. Secretary of State discussed the importance of tolerance to counter violent extremism, saying “I applaud all those people who engaged in the interfaith efforts to reach out and define tolerance and also the beauty of their own religions.” The Under Secretary of State for Political Affairs discussed religious tolerance with more than a dozen interfaith leaders at a Sufi shrine following his participation in a food distribution ceremony for Eid al-Fitr. The U.S. Special Representative to Muslim Communities returned in September to continue discussions with government officials and Muslim community members about the role religious communities play in the global fight against violent extremism. He met with Muslim community leaders in Mumbai, including leaders of Anjuman-i-Islam and Beebak Collective.

In December the U.S. Ambassador at Large for International Religious Freedom engaged government officials in New Delhi on issues of religious freedom, tolerance, and nondiscrimination and discussed opportunities for collaboration within the country, in the region, and internationally. The Ambassador at Large also met with members from the Buddhist, Christian, Hindu, Muslim, and Jewish communities and with human rights and women’s rights activists, in New Delhi, Bangalore, and Mumbai to hear about religious life in India and explore opportunities to advance religious freedom.

The U.S. Ambassador gave a speech at Jamia Millia University in New Delhi on the importance of religious diversity in the country in November. He also met leaders across India’s religious communities to understand their concerns. Embassy representatives met with government representatives, civil society, and religious leaders to discuss the issue of Islamic divorce and the challenge of protecting personal religious laws in accordance with the constitution, the minority status of universities, beef bans, and religiously motivated political violence.

The embassy and consulates general continued to meet with religious organizations, missionary communities, and NGOs of all religious backgrounds to discuss religious freedom concerns and U.S. responses. These included the Cardinal of the Syro-Malankara Catholic Church, Metropolitan Bishop of the Mar Thoma Church, Imam of Jama Masjid, India Islamic Cultural Center, All India Imams’ Organization, leaders of several mosques, Akshardham Temple Hindu Priests, priests from the International Society for Krishna Consciousness, the Catholic Bishops Conference of India, the Church of North India, the Delhi

Archdiocese, community leaders in Buddhist-dominated Kushinagar, Bharatiya Sant Samiti, the Chinmaya Mission, Hindu priests, and Sikh leaders.

The embassy and consulates general hosted celebrations marking major religious holidays, including Ramadan, Holi, Eid al-Fitr, and Easter throughout the country to bring together leaders from different religious groups, and at which embassy representatives and interfaith guests spoke about religious freedom and tolerance in speeches and informal discussions. Embassy and consulate general officials continued to monitor cases involving reports of religious persecution, religious intolerance, and religiously motivated attacks.