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CRIMINALISING THE PRACTICE OF FAITH



**A report by PUCL Karnataka
on Hate Crimes against
Christians in Karnataka**

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Acknowledgments

This report is an attempt to make sense of and respond to the increasing assault on the right to faith of Christians in Karnataka. This ground reality of attacks was brought to the attention of PUCL-Karnataka by the United Christian Forum - New Delhi. Through their network, UCF had provided and continues to provide legal assistance to many of the victims of majoritarian violence and was also documenting these attacks systematically. It is with support of their ground work that we were able to reach out to the victims, speak to them individually and hear their voices. We are indebted to them for sharing with us and are in solidarity with their continued resistance and demonstrated resilience. We are also grateful for Tanya Raman for creating helpful and supplementary illustrations for the purpose of this report.

Introduction

The targeting of the Christian community is not a new phenomenon. When we look back, in 2008 while the Bharatiya Janata Party (BJP) was in power, there were attacks on several churches in different parts of Karnataka, such as Chikkamagaluru, Udupi, Mangalore, and Dakshina Kannada. Similar patterns can be observed under the rule of BJP in 2021. Even during 2008, the Hindutva mob had a similar narrative that Christians were purportedly engaged in converting Hindus. Though the national and Karnataka state trends show continuous decline in the population of Christians in the last 5 decades, the myth that Christians are engaged in conversion activities is constantly propagated.

In 2021 too, targeted attacks took place under the false garb of conversion. These attacks on Christians during prayer meetings in rural parts of Karnataka have become far more prevalent and violent this year.

The point this report seeks to make is that the myth of conversion remains a bogey which is used to target the constitutional right to practice, profess and propagate religion as recognized under Article 25. What emerges in shocking detail is that in today's Karnataka, using the language of 'conversion', Christians' constitutional right to practice and profess their religion is being curtailed. Even with respect to conversion it should be noted that the right to choose remains a core part of one's fundamental right to freedom of religion, expression and dignity and ought not be curtailed under the Indian Constitutional framework.

It should also be noted that Babasaheb Ambedkar was very firm in rejecting any criminalisation of conversion in the Indian Constitution. During the debate on the interim Report on Fundamental Rights clause 17 was moved by Sardar Vallabhbhai Patel:

“Conversion from one religion to another brought about by coercion or undue influence shall not be recognised by law.”

Mr. K. M. Munshi, moved an amendment to the clause which read:

Any conversion from one religion to another of any person brought about by fraud, coercion or undue influence or of a minor under the age of 18 shall not be recognised by law'

Ambedkar was firm in rejecting both the clause and the proposed amendment. There was never any question around the right of adults to convert in his mind. However with respect to children, he outlined three possibilities. If it was orphan children, and conversion was prohibited, then it would result in the situation that they would receive no religious instruction', which would be an anomalous result. If it were children with parents and guardians, then it would be right to state that the children can't be converted without the permission of guardians. However if the parents convert voluntarily what happens to the children?

As he put it:

If you are going to say that, although parents may be converted because they are majors and above the age of 18, minors below the age of 18, although they are their children, are not to be converted with the parent, the question that we have to consider is, what arrangement are we going to make with regard to the children ? Suppose, a parent is converted to Christianity. Suppose a child of such a parent dies. The parent, having been brought up in the Christian faith, gives the Christian burial to the dead child. Is that act on the part of the parent in giving a Christian burial to the child, to be regarded as an offence in law?"

He went on state that if 'you do not want that the children should be converted, you have to make some other kind of law with regard to guardianship in order to prevent the parents from exercising their rights to influence and shape the religious life of their children.' He asked whether, 'it would be possible for this House to accept that a child of five, for instance, ought to be separated from his parents merely because the parents have adopted Christianity, or some religion which was not originally theirs?' He then went on to conclude that, 'the acceptance of the proposition, namely, that a person shall not be converted below the age of 18, would lead to many disruptions, to so many evil consequences, that we thought it would be better to drop the whole thing altogether...' ¹

What is clear is that conversion by itself for Ambedkar was a constitutional right. Those who claim to follow Ambedkar, must as a tribute to him begin to respect the value which was very dear to him, namely the freedom to 'profess, practice and propagate religion'.

Context and Need for this Report

On 7th July 2021, the Directorate of Minorities sent out a letter to conduct a survey of the churches. It also sought the name of the district, taluk, Name of the Institute and Address, along with Khata Number and the details of the Pastor/Father of the Church. PUCL-Karnataka on getting to know about this unconstitutional communication, handed over a written response to the Director of minorities asking the Directorate to provide the objectives of the survey and the need for collection of such information. Since the department did not respond to the letter, subsequently, a PIL was filed by PUCL-Karnataka, praying to stop the discriminatory survey. A notice was served to the state government by the High Court of Karnataka. However, the court did not interfere with the proposed survey by the department with a stay. The matter continues to be pending before the High Court of Karnataka.

Thereafter, on September 21, 2021, during the assembly session, Mr. Goolihatti D Shekar, the elected representative from Hosadurga constituency had alleged that rampant conversions were taking place

¹ B.R. Ambedkar, *Dr. Babasaheb Ambedkar: Writings and Speeches*, Volumes XIII Bombay, Department of Education, Government of Maharashtra. p. 17.

in his constituency. In the assembly, during the zero hour, the MLA claimed that about 15,000 – 20,000 people have been converted in his constituency including his mother. MLA Goolihatti Shekhar is a key figure in furthering this myth of forced mass conversion. He has conveniently centered the proof of “forced mass conversion” around his individual experience. He claims that his mother has been forcefully converted despite his mother clearly stating that she had converted as per her own will.

After the statement of Goolihatti Shekar, in Hubballi the right-wing groups alleged once again that the pastor was involved in conversion. Not surprisingly, the local BJP MLA Arvind Bellad blocked the road and demanded the arrest of the pastor.

As things were brewing, on 13 October 2021 in a legislative committee meeting Goolihatti Shekar stated the aim of the survey was to check ‘forced conversions’.²

Following this meeting, the legislative committee on backward classes and minority welfare in Karnataka ordered for the survey of churches in the state. Subsequently, in another development, the Karnataka Assembly secretariat instructed the department of minorities welfare to submit details of past 25 years of conversion in the state.³

On 6 November 2021, the Quint reported that according to a survey conducted by the police there were no illegal churches. On the contrary, the state intelligence has narrowed down on 236 ‘illegal’ Christian places of worship, across the state.⁴

An official survey by Hosadurga Tahsildar was found that families accepted Christianity on their own and said nobody forced them to switch to another religion. The BJP MLA Goolihatti Shekar however continues to claim that 46 families in two villages of Hosadurga taluk were forcefully converted.⁵

Debunking the myth of forced mass conversions

India is a Union of States, and amalgamation of different religions, cultures, languages, and traditions. In building India, every community has contributed in their own unique ways. Undoubtedly, Christians have played a major role in building the nation. For many years, the Christian community has been engaged in providing services like education, health care and skill development training to the people of the country. The worrying factor is that their number has been on the decline. According

² <https://thewire.in/government/karnataka-legislative-panel-orders-survey-of-churches-to-check-forced-conversions>

³ <https://www.telegraphindia.com/india/karnataka-assembly-secretariat-calls-for-25-year-conversion-data/cid/1836504>

⁴ <https://www.thequint.com/news/india/karnataka-anti-conversion-bill-church-survey-intelligence-police-disagree-on-illegal-churches#read-more>

⁵ <https://www.newindianexpress.com/states/karnataka/2021/dec/01/contrary-to-bjp-mlas-claim-official-survey-finds-no-forced-conversions-in-karnatakas-hosadurga-2390411.html>

to the 1971 census, the Christians were 2.60%. In 1981 they were 2.44%, in 1991 2.33%, in 2001 2.18% and at present, they are 2.30%.⁶ In the State of Karnataka, the population of Christians in 1971 was 2.09%, 2.08% in 1981, 1.91% in 1991⁷, 1.9% in 2001⁸ and 1.87% as per 2011 census.⁹

Proportion of Christian population in India and Karnataka according to Census of India		
<i>Year</i>	<i>India</i>	<i>Karnataka</i>
1971	2.6	2.09
1981	2.4	2.08
1991	2.33	1.91
2001	2.18	1.9
2011	2.3	1.87

Thus, the statistics do nothing to suggest that the Christian population is increasing. Evidently, without an increased population there is nothing to substantiate the claim of forced mass conversions. At the very outset these numbers are proof that forced mass conversion is a myth, a bogey that is being used to criminalize the practice of faith by Christians.

To make matters worse the Chief Minister and Home Minister have both given multiple public statements stating their intentions to table an anti-conversion bill in the Belagavi Winter Session of 2021.

It is against this context of rising hate crimes against Christians, the series of surveys ordered into their practice of faith, the anticipation of an anti-conversion law in the State that we are writing this report to document the persecution the Christian community in Karnataka is facing.

⁶ <https://clarionindia.net/conversions-and-anti-christian-violence-in-india-prof-ram-puniyani/>

⁷ http://lsi.gov.in:8081/jspui/bitstream/123456789/6270/1/39965_1991_POR.pdf

⁸ <https://dom.karnataka.gov.in/storage/pdf-files/Sir%20Syed%20Ahmed%20Khan/DALIT%20CHRISTIANS%20-%20Moses.pdf>

⁹ <https://www.census2011.co.in/data/religion/state/29-karnataka.html#:~:text=Christian%20Population%20in%20Karnataka%20is,0%20out%20of%2030%20districts.>

We have documented 39 incidents of hate crimes against Christian in Karnataka from January to November 2021. Given the frequency and intensity of these attacks, our report relies on the Christian community's narratives of surviving majoritarian violence. The members of the Christian community especially in rural Karnataka continue to face threats of violence, discrimination and survival in the course of their everyday lives. Keeping this in mind, to avoid any increased threat to the survivors, we have changed the names of the respondents in our report.

As a part of the work of a larger response to these attacks against Christians in Karnataka, this report specifically documents:

- a. The attacks on Pastors, believers and Churches in Karnataka from January – November, 2021;
- b. The modus operandi of the Hindutva groups behind these attacks;
- c. The patterns that emerge from these attacks.

The team made calls and visits to pastors across Karnataka, who have faced different kinds of attacks motivated by communal forces in their areas. This was done to both document details of narrations as well as provide any legal support that may be required. While this narrative report has been written after talking to 39 pastors from 39 separate incidents in 2021, there are several other cases that have not been reported in local media and victims in these instances have not been able to access resources or networks for legal and financial assistance. Much before this report APCR, UCF and United Against Hate published a joint report detailing more than 300 incidents of attacks Christians in less than nine months.¹⁰ It is a remarkable documentation that truly provides an idea into the scale of attacks happening all over the country. In this report we take a more geographically specific approach and focus on Karnataka. We also provide a larger framework of hate crimes to understand these attacks.

Even without an anti-conversion law the attack on the Christian minorities has been a weekly affair. Such a bill is likely to only make matters worse for the Christian community by giving *Carte Blanche* for excesses by vigilantes.

It is also worth noting that these attacks have taken place under the Home Ministership and Chief Ministership of Shri Basavaraj Bommai. This is rather ironic since it is his father Shri S.R Bommai that filed a case in the Supreme Court regarding arbitrary President's Rule, where in the Supreme Court made critical observations about religion and politics. The court in *S.R. Bommai v Union of India*¹¹ held that,

"148. One thing which prominently emerges from the above discussion on secularism under our Constitution is that whatever the attitude of the State towards the religions,

¹⁰ <https://thewire.in/communalism/india-violence-hate-against-christians-hindutva-religious-conversion-report>

¹¹ 1994 SCC (3)

religious sects and denominations, religion cannot be mixed with any secular activity of the State. In fact, the encroachment of religion into secular activities is strictly prohibited. This is evident from the provisions of the Constitution to which we have made reference above. The State's tolerance of religion or religions does not make it either a religious or a theocratic State. When the State allows citizens to practise and profess their religions, it does not either explicitly or implicitly allow them to introduce religion into non-religious and secular activities of the State. The freedom and tolerance of religion is only to the extent of permitting pursuit of spiritual life which is different from the secular life."

To holistically look at these series of hate crimes against Christians, the report is structured to begin with elaborating on the patterns of hate crimes that have emerged in these attacks. We identify six patterns namely, assault on the right to freely practice religion, living under threat in a post-pandemic Karnataka, Perpetrators of Hate Crimes, Casteist Slurs as an attack on Dignity, Attacking the vulnerable among a marginalised community and Police Complicity in Hate Crimes. We then evaluate the long-term impact of these attacks on the further marginalisation of the community.

In Chapter 2 of Genesis of the Constitutional Freedom to Practise, Profess and Propagate Religion, we look at the constitutional genesis of fundamental right to religion. This gives us the immediate contrast between what the legal reality ought to be and what the ground reality actually is. It provides us the historical background within which Article 25 of the Constitution was articulated.

Chapter 3 traces the post-independence legal history of the freedom of religion laws in the different States of India. It highlights the shifts that the law has taken and its contribution to the criminalising the practice of faith.

Chapter 4 deciphers the media narratives on the myth of conversion and identifies the contribution of the Kannada TV media in imposing Hindutva views on conversion by exploiting the technique of investigative journalism and sensationalising the issue of conversion.

Chapter 5 discusses the resilient response of the community to the hate crimes and the need of the hour to collectively oppose the so-called anti-conversion bill in any form. It leaves with questions that are begging to be asked from the State, Media and from people of Karnataka. And finally, we demand the implementation of the comprehensive list of recommendations by the State, the media, the civil society and Members of the Legislative Assembly.

Chapter 1: Patterns in Hate Crimes

From violent attacks to verbal abuse of Christians during their prayer meetings, Karnataka is witnessing a sharp increase in both the frequency and intensity of these attacks led by the Hindutva groups. While these attacks on the face of it appear to be geographically spread out, in reality they arise out of a far sinister concerted political project of reducing Christians to second-class citizens who must not be allowed to exercise their constitutionally provided fundamental right of religion. This political project finds its roots in the Hindutva ideology as articulated by M.S Golwalkar in *"We or Nationhood Defined"*¹² as,

"The non-Hindu peoples in Hindusthan must either adopt the Hindu culture and language, must learn to respect and hold in reverence Hindu religion, must entertain no idea but those of glorification of the Hindu race and culture i.e., they must not only give up their attitude of intolerance and ungratefulness towards this land and its age-long traditions but must also cultivate the positive attitude of love and devotion instead— in other words they must cease to be foreigners, or may stay in the country, wholly subordinated to the Hindu nation, claiming nothing, deserving no privileges, far less preferential treatment—not even citizen's rights. There is, or at least should be, no other course for them to adopt. We are an old nation; and let us deal, as old nations ought to and do deal, with foreign races, who have chosen to live in our country."

Golwalkar in his book, 'Bunch of Thoughts' in a chapter titled 'Internal threats' refers specifically to the Christians. He notes that: *"So long as Christians here indulge in such activities and consider themselves as agents of the international movement for the spread of Christianity, and refuse to offer their first loyalty to the land of their birth and behave as true children of the heritage and culture of their ancestors, they will remain here as hostiles and will have to be treated as such."*¹³

Local Police is seen colluding with the Hindutva supremacists to incite fear and hatred against Christians and police commonly turn a blind eye to incidents of violence, abuse, sexual assaults, economic and social boycott.

In some cases, large mobs barged in during Sunday morning prayer meetings, and executed violent attacks leading to injury, damage to property, psychological and physical trauma. In some others, smaller mobs disrupted prayer meetings, threatening murder, criminal charges of forced conversion, excommunication or even the revoking of reservation rights. A common theme in these incidents is

¹² Golwalkar, M.S. (1944), *We or Our nationhood defined*, Bharat Prakashan.

¹³ M.S. Golwalkar, *A bunch of thoughts* cf. Christophe Jafferlot, *Hindu Nationalism: A reader*

the threat of pressing criminal charges under Section 295 A¹⁴ and Section 298¹⁵ of the Indian Penal Code, 1860.

Each time a victim was contacted, a common response at the beginning of conversations was that the victims almost always were initially confused about which incident was being referred to. This indicates how frequently they encounter violence, threats and disruption by Hindutva mobs and how the lives of thousands have been filled with fear because of their religious faith.

In many cases, the pastors and believers have not just suffered from trauma from a particular attack, but continue to face dire consequences of being a religious minority in their daily lives. At the very heart of it, all these 39 attacks must be seen as an attack on the fundamental right to freedom of religion under Article 25 of the Constitution.

1.1 Right to freely practice religion

In most cases, Christians have been forced to shut down their places of worship and stop assembling for their Sunday prayers. Effectively, these attacks by Hindutva groups on praying as a religious community in a gathering act as a bar on the freedom to practice religion itself. Leave alone the right to propagate religion, today the attacks in Karnataka are actually on the right to freely profess and practice religion. This is in direct violation of a fundamental right guaranteed by the Indian Constitution:

"Article 25. Freedom of conscience and free profession, practice and propagation of religion

(1) Subject to public order, morality and health and to the other provisions of this Part, all persons are equally entitled to freedom of conscience and the right freely to profess, practise and propagate religion"

It is extremely important to note that the Christian community in rural and semi-rural Karnataka hail from impoverished backgrounds and are mostly from Dalit and lower caste communities. Prayer meetings held on Sunday mornings are important spaces that provide support and a sense of

¹⁴ "[295A. Deliberate and malicious acts, intended to outrage religious feelings of any class by insulting its religion or religious beliefs.—Whoever, with deliberate and malicious intention of outraging the religious feelings of any class of²⁷³ [citizens of India],²⁷⁴ [by words, either spoken or written, or by signs or by visible representations or otherwise], insults or attempts to insult the religion or the religious beliefs of that class, shall be punished with imprisonment of either description for a term which may extend to 4[three years], or with fine, or with both.]"

¹⁵ "298. Uttering, words, etc., with deliberate intent to wound the religious feelings of any person.—Whoever, with the deliberate intention of wounding the religious feelings of any person, utters any word or makes any sound in the hearing of that person or makes any gesture in the sight of that person or places, any object in the sight of that person, shall be punished with imprisonment of either description for a term which may extend to one year, or with fine, or with both."

belongingness. These spaces allow both for religious expression of the believers as well as a sense of hope in the future.

When pastors are threatened by the Hindutva groups to shut down these prayer meetings, it is not only a gross violation of their right to religious freedom but also robs an entire community of their right to dignity and the right to life defined as psychological well-being.

In many places after facing the attack or from hearing about attacks on Christians in different parts of the State, members of the community are scared. After the attacks, prayer meetings in many places have been discontinued. There is an omnipresent fear among Christians. This fear is a hindrance to dignified existence.

The fact that several Christians are being violently attacked in their own houses of worship, spending days in jail, criminalised, humiliated and discriminated against, only because of their choice of religion, is the dismal consequence of today's state-sponsored Hindutva extremism in Karnataka.

The modus operandi of these attacks can be broadly understood in ten steps:



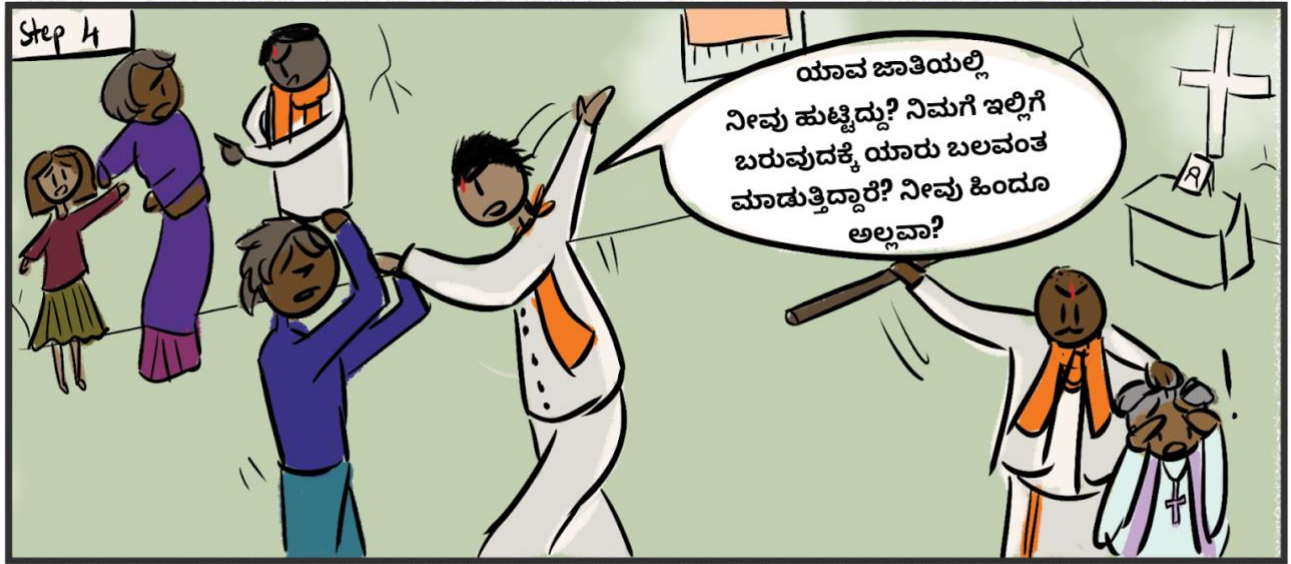
Local leaders of Hindutva groups such as RSS, BJP, HJV, Banjara Nigama organise a mob. They collect their saffron scarves, flags and identify where the Sunday prayers are taking place in their locality.



The mob calls the nearby police station and informs them of the attack they will execute. In almost every case, the police enters a few minutes after the vigilantes and fails to protect the Christians.



At least 25 to 30 of them break open gates, doors, glasses to forcefully enter the place of worship and verbally abuse the pastors for "forcefully converting" Hindus to Christianity.



They hurl casteist slurs and violently beat up as many people in the room with their bare hands or rods and sticks, while children watch in fear.



**They attack women physically, verbally and sexually.
If the women fight back, the assault is worsened.**



The police enter exactly 5-10 minutes later and use the same abusive language against the Pastors and the believers. They violently demand identification documents.



All throughout someone or the other from the mob records the violent attack on the prayer meeting on their phone. This recording is then circulated both as a 'victory against Christian forces' and as a tool to instil fear in all those who dare to practise their fundamental right to freedom of religion.



The police forcefully take the Pastor and some believers to the local police station and file cases under Sec 295A of the IPC, 1860. Innocent people are arrested for practising their religion.



Depending on whether they have access to legal help and resources, some Christians secure release from jail. They however suffer from severe trauma and have to continue dealing with the cases lodged against them



Citizens practising Christianity face social boycott and continuous threats from schools, local businesses, Panchayati members, landowners, employers. They lose livelihoods and are often kicked out of their rented houses. They are treated as second class citizens. Their dignity is stripped bare for practising their fundamental right to practise a religion of their choice.

This modus operandi provides us the chronology as well as a holistic view of how hate crimes take place on a weekly basis. The details of survivors' narratives of the hate crimes that they faced along with dates, geographical locations, FIRs are annexed as Annexure – A. Apart from understanding this modus operandi, we see an imminent need to identify the patterns of oppression that emerge in the execution of the hate crimes against Christians. These patterns will aid us to understand not only the perpetrators behind them but also their belief systems.

1.2 Hate Crimes against Christians

Broadly, all these attacks on Pastors, believers and churches are communal hate crimes. Hate crime as a concept arguably is able to recognise the harm done to the victims as members of a collective or a social group. In the United Kingdom, a hate crime is defined as “any crimes that is motivated by hostility on the grounds of race, religion, sexual orientation, disability or transgender identity.”¹⁶ In the Indian context, the social groups of gender and caste have to be added.

The Supreme Court in *Tehseen Poonawalla v Union of India*¹⁷, recognises hate crimes as,

“20. Hate crimes as a product of intolerance, ideological dominance and prejudice ought not to be tolerated; lest it results in a reign of terror. Extra judicial elements and non-State actors cannot be allowed to take the place of law or the law enforcing agency. A fabricated identity with bigoted approach sans acceptance of plurality and diversity results in provocative sentiments and display of reactionary retributive attitude transforming itself into dehumanisation of human beings. Such an atmosphere is one in which rational debate, logical discussion and sound administration of law eludes thereby manifesting clear danger to various freedoms including freedom of speech and expression. One man's freedom of thought, action, speech, expression, belief, conscience and personal choices is not being tolerated by the other and this is due to lack of objective rationalisation of acts and situations.”

¹⁶ Hate crime: a thematic review of the current evidence Research Report by Olivia Hambly, Joanne Rixom, Shivani Singh and Tamsyn Wedlake-James, UK Government, October, 2018, https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/748140/hate-crime-a-thematic-review-of-the-current-evidence-oct2018-horr102.pdf

¹⁷ AIR 2018 SC 3354

1.3 Living under threat in a post-pandemic Karnataka

Attack in Hubballi on October 17, 2021¹⁸

Testimony of Pastor Sanket

When we started the prayer meeting, there were already some people wearing saffron scarves sitting inside the church. During the prayer, they suddenly started chanting bhajans and slogans like Jai Shri Ram. This group of people who were from Bajrang Dal and Vishwa Hindu Parishad, soon started shouting at me and accusing me for forcing someone called Vishwanath to convert to Christianity.

They started beating up the believers and some of them started assaulting me. I sustained many severe injuries.

After the believers and I were dragged to the police station, a bigger mob of about 100 people gathered. The police could not do much because the mob was growing in numbers and were becoming very violent. They kept some of us in the police station and lodged an FIR against us. Six others and I were taken in an ambulance to the hospital, after which the hospital issued a report saying that we only had minor bruises and no fractures. The police arrested some of us and we were kept in jail for 11 days.

Now, we are no longer praying together in the church. Christians are facing threats on a regular basis from neighbours and others in the town. Not just me, but so many of our believers are also being told to vacate their houses by their landlords and house-owners. The same mob from Bajrang Dal and Vishwa Hindu Parishad are spreading vicious rumours in attempts to get Christians terminated from their jobs, and to make it difficult for them to apply for new ones.

Christians in our locality are very scared. Still, many are slowly trying to return to pray on Sundays.

Even recalling the psychological torture that I had to undergo for eleven days, the physical and emotional pain we all had to suffer is very anxiety inducing and it has become very difficult for me to retell this story.

¹⁸ <https://www.thenewsminute.com/article/row-between-bengaluru-church-followers-and-local-residents-cops-file-firs-145630>

Attack in Yadgir on September 19, 2021¹⁹

Testimony of Pastor Jim

I was organising weekly prayers for 8 months in the same prayer hall for 15 believers. One such Sunday, 200 people came to our prayer hall and started raising slogans against Christianity. A Panchayat member by the name, Narsappa and many people from the village joined the crowd and started exerting pressure on the believers to not go to church anymore. They spoke in abusive language against me and my faith.

Within five minutes of the mob's verbal abuse and shouting, the police came. Perhaps they were nearby because they knew that this was happening. The police detained 4 of us at the station till 8 PM before giving any of us any information. They filed a complaint against me, a woman, her husband and their son under 295A, but refused to file our complaint against the Hindutva mob that was abusing us verbally.

Our lawyer came to the police station at 5 PM but the police refused to file our complaint even after he spoke to them. They told us that the Sub-Inspector has instructed them to not file any complaint on behalf of us. We were in jail for 3 days.

Now, prayers have completely stopped and the believers from that village are no longer coming to church. They have also been facing threats from school teachers, who have said that they will expel their children from school. Ration card shops and smaller businesses have also started refusing to sell to Christian customers.

Due to the aggressive incitement of hatred against Christians across the state, several people from the community have lost employment and face economic crises. In schools, teachers have threatened to expel students who are Christians. Christian tenants have lost their residence. Even small businesses have refused customers solely because they are Christians.

In one particular case, a pastor was told to vacate the house by his landlord and was forced to shift to a new house. The police did not let the pastor even in this new house and badgered him for his new landlord's contact details. The police then scared the landlord into evicting the pastor, just 10 days after he had moved in. He is now living 40 kilometres from the village. This is how Christians are

¹⁹ <https://drive.google.com/drive/folders/1tZn72UWhww1F9E9qX0p-zYJRjyFawovA?usp=sharing>

pushed to the margins. This pushing of a religious minority to literally outside the village functions as a barrier in equally participating in a democracy.

The COVID-19 pandemic brought severe distress to Karnataka, wherein marginalised communities faced severe shortages of food and a complete lack of access to healthcare. Agricultural labourers, daily wage workers, and other workers in the informal sector in particular, faced severe crises because of non-payment of wages.

During such a time, when thousands lost their lives and thousands more lived on the brink of survival, the need of the hour was health-centric and people-centric governance, solidarity amongst communities and communitarian relief to protect communities from poverty and hunger.

Instead, the State through the police and the administration was complicit in antagonizing those praying. In many cases of mob violence, the police arrested pastors and believers. They even issued formal notices to churches to stop prayer meetings. One of the reasons cited by authorities was that the church was allegedly violating COVID-19 protocols. Neither was there any lockdown in place nor were there limitations regarding small gatherings, and yet, the police along with the administration use the excuse of COVID-19 to interrogate and accuse Christians. At a time of such increased vulnerability, the minority community was marginalised even further by the inaction of the State to protect their fundamental rights. This failure of the State further marginalizes a minority community in how they live their lives struggling to access education, shelter, food, livelihood and basic dignity during COVID. These daily struggles are exacerbated with the threat to their life and liberty leaving them in a place where exercising their social, economic, civil and political rights is a distant reality.

The social and cultural fabric of diverse and secular Karnataka is stained with this dispossession faced by Christians as also the discrimination and atrocities faced by Dalits, Adivasis and Muslims.

1.4 Perpetrators of hate crimes

Attack in Bengaluru on March 18, 2021,²⁰

Testimony of Pastor John

I was leading a Sunday prayer one evening on a Thursday, when a man who lives in our street entered the church with two other men. He started hurling abuses at me and my wife, and started shouting, "We will burn you!"

One of the church members stepped forward and tried to console him. I also hugged the man and asked him what the problem is. Very soon, a group had started to assemble outside. It seemed as if this was a planned attack on us. I got very scared because the group also started shouting vulgar abuses, threatening to burn us inside the church. They broke some of our furniture and threatened our believers including my wife and my child.

I went to the police station to register an FIR but they said the system was not working. I still insisted that they file a complaint but they asked me to come the next day. On the next day, we reached the police station early with a lawyer. But they allowed the other party to register the case against us before they even asked us to file a complaint. Even though we had a lawyer also speak on behalf of us.

Why were they partial? Why were we denied our chance to file our FIR on the spot?

The incident has left a lot of believers in deep anxiety and fear. They threatened my wife and my child. We were not allowed to pray in that hall anymore and had to find another place. There were so many women and children in the prayer hall, who feel especially vulnerable now.

Attack in Karwar on October 17, 2021,

Testimony of Pastor Mahesh

In my village, there are around 3 to 4 Christian households. One day, the Panchayat called for the 4 Christian households of the village. Out of the four, two families went to the panchayat. They

²⁰ <https://www.thenewsminute.com/article/row-between-bengaluru-church-followers-and-local-residents-cops-file-firs-145630>

were asked many personal and private questions about their faith and whether it was their choice or not.

Two households were brutally harassed and sustained injuries from physical assault. The police arrived shortly thereafter and forced the Panchayat members and others in the village to leave the Christians alone. This was their idea of a “compromise”. They took statements from the villagers as well as the Christians.

We filed a complaint against some Panchayat leaders and others who abused the Christians. But the police of our village are under strong influence of ex-MLA and current BJP member, Sunil Hegde. As the pastors, we tried to assert that Christians should not be prevented from going to prayer meetings.

All the four families continue to face threats of social boycott and excommunication. People in the village are ensuring that they do not get any employment or any commodities from any shop. Two of the families have suffered loss of livelihoods.

In this village, Bharatiya Janata Party, Rashtriya Swayam Sevak Sangh and Hindu Jagrana Vedike are very active.

These Christians have voluntarily accepted this faith and respect the value of fraternity. But they are not allowed to even survive here.

The perpetrators behind these communal hate crimes in all the 39 instances are Hindutva organisations, namely Rashtriya Swayamsevak Sangh, Bajrang Dal, Hindu Jagrana Vedike. In two instances of hate crimes in Karwar (October 4) and Mandya (January 25) Bharatiya Janata Party MLA Sunil Hegde and 3-time BJP MLA Narayana Gowda (currently Minister of State for Youth Empowerment and Sports, Planning, Program monitoring and Statistics) were also named as people who supported the police in targeting Christians. A new organisation that has emerged from the accounts is that of Banjara Nigama. This organization appears to be small but rather violent and keen participant in some of these mobs.

What is particularly alarming is the discrimination and social boycott that Christians have faced from persons who are not part of these Hindutva organisations such as neighbours, landowners, employers, small businesses like grocery stores, in schools, in their localities. The language used to socially boycott and discriminate Christians shows the allegiance of the individuals to the Hindutva belief system. The lens of suspicion towards all Christians has become commonplace today. It is indicative of how much Hindutva ideals of segregation and second-class citizenship of Christians have become internalised among ordinary individuals. As one pastor told us that it is this phenomenon of neighbours, acquaintances participating in the Hindutva mob that he found confounding. Puzzled, he asked,

“If these people had a problem with us, why didn’t they just come talk to us. If we were told even once that our loudspeaker is causing inconvenience to anyone else, we would not have used it.”

Through aggressive social media campaigning by these groups, hatred against Christians and minorities is being fueled by fake news and fear-mongering. False claims are widely propagated that all pastors are heavily funded by international sources, and forcibly convert people to Christianity by promising food, money, vehicles and property. Videos of the attacks on churches were widely shared on social media as evidence of ‘victories’ for the Hindus against Christian communities.

Such propaganda has become household conversations across the state, normalising hate against Christians. These conversations are informed by skewed notions amplified by both news media and social media.

1.4 Casteist slurs as an assault on dignity

Attack in Soladevanahalli on October 10, 2021,

Testimony of Pastor Vikram

I was conducting a prayer service on one Sunday at our church. Suddenly, four people entered the room and started yelling at me. Then 40 people barged in and started fighting with me. They asked me to step outside and then verbally abused me a lot. They accused me of forcibly converting Hindus to Christianity.

One of the things that they were furious about was that our church could be easily located on Google Maps. They said that this is unacceptable and our church cannot be found on Google Maps.

In a few moments, the police arrived and took everyone to the police station. The Sub-Inspector tried to diffuse the situation. But what was shocking is that he asked a series of questions to the believers about their personal details. *“Which caste were you born into? Where is your native home? Why are you going to church? Who is paying you to go to church?”*

They also asked for my Pastor ID, my appointment letter, my documents and registration records of the church. Prayers have completely stopped now.

Attack in Tipturu on March 14, 2021,

Testimony of Pastor Shyam

I was conducting prayers in a room one Sunday. We have been renting that room for 14 years and have been conducting our weekly prayers only there. In the middle of the prayer, the police barged in and accused the pastors of forcibly converting Hindus to Christianity.

They shouted at all of us and did not give us a single chance to say anything in response. They immediately called three vans and took 29 of us to the police station. Children were also taken with their parents to the police station. They made us sit in the police station and took all of our statements. They repeatedly asked all the believers which caste they were born into and asked them to write down these details in their statements. They kept asking them how much money they are being paid by us to come to church.

I tried to explain that if we had money, then we would want to build our own place of worship. I even clarified with the police that we are not forcing anyone to convert, or even change their names.

Soon after, RSS leaders of Tipturu came to the police station and spoke very badly with women as well. A big mob assembled and they started bombarding us with verbal abuses, casteist slurs and demanded to know, "Why can't you stick to your own caste? Who is paying you? Why are you going to church? Are you not born as Hindus? Are they giving you food, petrol or promising a car?"

Christians are feeling very scared as videos and statements continue to be circulated in WhatsApp and local media. Landowners are denying work or houses to many of our believers. Schools in this locality are also spreading rumours and discriminating against Christian students.

Most Christians are scared to come to church, so I go to some of their houses personally for prayer meetings. The situation in Tipturu is extremely critical.

In almost all instances where prayer meetings were disrupted or attacked, a common pattern is that the language used in the verbal abuse primarily consisted of casteist slurs. These casteist slurs must be seen in the context that Christians in rural India largely comprise of daily wage workers, agricultural labourers and people from Dalit communities. 70% of India's Catholics are Dalits and untouchables.²¹

²¹ <https://uscatholic.org/articles/201302/caste-off-the-plight-of-catholic-dalits-in-india/>

This fact has historical significance that although people consciously convert to leave caste-based discrimination, the practice of untouchability follows them even after their conversion. Certain Hindutva groups perform rituals of 'Ghar Wapsi' to reconvert allegedly forcefully converted individuals.

Ghar Wapsi is a Hindi term, usually translating as "homecoming" or "coming home", used by Hindu nationalist organizations to term the conversion of Muslim, Christian, Buddhist, or other Indians to Hinduism.²² In this *Ghar Wapsi* which is an affront to fundamental freedom of choice, these 'reconverts' are pushed back into the same caste that they are presumed to be born in. The individual has no mobility within the caste system and perpetuates the Brahmanical systemic oppression. The promise of *Ghar Wapsi* is to oppress individuals into following the caste system such that at the end of the day, Brahmin hegemony prevails.

In any typical attack on churches, the first thing that vigilantes do to disrupt prayers is to demand from the believers, their family names and the caste in which they are born into. The situation soon escalates, as they abuse the pastor and believers by using derogatory words and phrases that insult people based on their castes and casteist stereotypes. These statements are an assault on the constitutional provision of prohibition of untouchability and on the dignity of the individual.

Why does this happen? What does caste have to do with the decision of converting to Christianity? Ambedkar in a speech titled, "Why go for conversion"²³ explained,

"If we can gain freedom by conversion, why should we shoulder the responsibility of reforming the Hindu religion? And why should we sacrifice our strength and property for that? None should misunderstand the object of our movement as being Hindu social reform. The object of our movement is to achieve social freedom for the untouchables. It is equally true that this freedom cannot be secured without conversion."

He goes on to argue that conversion in fact is the path that leads to equality, he says,

"According to me, this conversion of religion will bring happiness to both the Untouchables as well as the Hindus. So long as you remain Hindus, you will have to struggle for social intercourse, for food and water, and for inter-caste marriages. And so long as this quarrel continues, relations between you and the Hindus will be of perpetual enemies. By conversion, the roots of all the quarrels will vanish... thus by conversion, if equality of treatment can be achieved and the affinity between the Hindus and the Untouchables can be brought about then why

²² Rajeshwar, Y., & Amore, R. C. (2019). Coming Home (Ghar WAPSI) and going away: Politics and the mass conversion controversy in India. *Religions*, 10(5), 313. <https://doi.org/10.3390/rel10050313>

²³ <https://velivada.com/2017/06/01/why-go-for-conversion-speech-by-dr-b-r-ambedkar/>

should the Untouchables not adopt the simple and happy path of securing equality? Looking at this problem through this angle, it will be seen that this path of conversion is the only right path of freedom, which ultimately leads to equality. It is neither cowardice nor escapism."

The omnipresence of caste and untouchability in Hinduism makes conversion a means to achieve individual freedom and equality. The rigidity of the caste system and continued oppression of the SC/STs especially by the Hindutva groups ensures that individuals leave Hinduism.

Several states have enacted 'Freedom of Religion' laws to restrict conversions carried out by force, fraud, inducements and allurements. We analyse these laws in Chapter 4 of this report. What is worth noting here is that all of these legislations have higher punishments for the conversion of women or minors from Scheduled Castes or Scheduled Tribes.

One can only infer from this that the state considers women as less capable of making their choice of religion. Hindutva groups also make similar assumptions about women, Dalits and other SCs as communities without the right to freedom of choice of faith or the right to exercise their agency. The verbal assault through casteist slurs is a scathing attack on one's dignity. FIRs under the SC/ST Prevention of Atrocities Act, 1989²⁴ for violation of Section 3 (r), (s), (u), (v), (w) must be necessarily registered.

These casteist slurs are in fact a form of hate speech. The Supreme Court has defined hate speech as below:

*"Hate speech, therefore, rises beyond causing distress to individual group members. It can have a societal impact. Hate speech lays the groundwork for later broad attacks on [the] vulnerable that can range from discrimination, to ostracism, segregation, deportation, violence and, in the most extreme cases, to genocide. Hate speech also impacts a protected group's ability to respond to the substantive ideas under debate, thereby placing a serious barrier to their full participation in our democracy."*²⁵

²⁴<https://socialjustice.nic.in/writereaddata/UploadFile/The%20Scheduled%20Castes%20and%20Scheduled%20Tribes.pdf>

²⁵ Pravasi Bhalai Sangathan v Union of India, AIR 2014 SC1591

1.6 Attacking the women and children among a marginalised community

Attack in Ramanagara on January 31, 2021

Testimony of Pastor Sathish

One Sunday, in a rented house that we use as a prayer hall, I was leading a mass for around 60 Christians. Suddenly, six people entered and started beating up one of the other pastors. They dragged him outside and despite many of us trying to stop the mob, they were violently attacking him and a few other Christians. Among the victims was the pastor's daughter who was only 14 years old. They brutally assaulted her and kicked her many times in the stomach, which left her vagina bleeding. 27 people were beaten and I too, sustained injuries. Some believers helped in taking the other pastor and some injured believers to the hospital, while I went to the police station with a few people.

We filed an FIR against some of the goons, and a case was registered against them. But the people from the mob were also allowed to file an FIR against me and the other pastor, under Sections 295, 295A and Section 153A.

We still don't know if they have been arrested. The women and children faced severe trauma from not just sustaining injuries, but from witnessing such a brutal violent assault on their place of worship.

Attack in Belagavi on April 5, 2021

Testimony from Pastor Sailesh

On the night after Easter, I was with my wife and three children. My wife started having chest pain, so I called our family doctor, who asked us to come on Monday afternoon. Since we reached early, we went to my sister-in-law's house to rest until we could see the doctor. Around 11:30, a mob of 60 people were waiting outside.

They dragged me outside and were shouting at me, demanding to know whom I came to convert to Christianity. I tried to respond to them but they were not willing to listen. I tried to tell them that I was not even visiting for any prayer. Soon, their verbal abuse escalated, and before I knew it, they threatened to kill me. They said that I have to tell all the believers to stop coming to church. They dragged me to the main road and at least 30 people from the mob beat me a lot. They pushed my wife aside repeatedly when she came to help me. My children watched in horror as they kept

yelling, "Let's kill him now!"

They paraded me on the road and hit me on my head with stones. They forced Kumkum on my forehead, and on my wife's forehead. When we went to the police station, they turned us away and told us that I need to get a Medico-Legal Case from the hospital before I can file a complaint.

I was severely injured. My ears were bleeding and I could not hear properly for a month. The pain in my inner ear was unbearable and it hurts till date. My wife suffered from pain for 4 days after the assault and my children are still traumatised.

These incidents of violence against Christians are part of a wider phenomenon in which Hindutva assaulters have with impunity violated the criminal law which guarantees a rule of law society. After all, no one has the right to take the law into their own hands and violently enforce their vision on others in a constitutional democracy.

A common pattern of these hate crimes is that the Hindutva mobs who barge into Christian prayer meetings also direct many of their slurs, verbal abuse and physical assaults on women. They use language that is casteist, sexually explicit and derogatory against women, and in cases where women have tried to respond to them, they molest and sexually assault them.

When police officials take the pastors and believers to the police station, there is never a woman police official present when women are detained, as the law dictates. When sexual assault takes place, the police never take suo-moto cognisance and take action against the criminal, even though they know their details and whereabouts.

Almost in every attack on a prayer meeting, both women and children are present. In some cases of detention, women and minors have also been detained along with the pastors. And in one particular instance, a minor person was also sent to Juvenile Jail for seven days.

There are no efforts by the police to protect children from violence, or uphold their rights by following due protocols of arrest and detention. This blatant disregard for their safety is another important aspect of their contempt for Constitutional rights of minorities.

1.7 Police Complicity in Hate Crimes

Attack in Mandya on January 24, 2021

Testimony of Pastor Harish

One day, two brothers were hosting a prayer meeting at church for a child's naming ceremony. They cut cake and shared these photos on Facebook. This caught the attention of some right-wing extremists in the village.

After that on another day (January 24), Christians were attacked near their homes. Men, women and children were verbally abused and threatened by a mob from Rashtriya Swayamsevak Sangh. The extremists also called the police, who picked up some Christians and detained them. As soon as I was informed of this in the evening, I went to the police station accompanied by some believers. The mob was also present there, and they continued to verbally abuse and threaten some women who were trying to stand up for themselves. We tried to file a complaint against them, but were denied the opportunity to do so. One of the women's laptops was confiscated. One of the officials said that Narayan Gowda (Minister) had already called and asked the police to keep Christians in jail. We also saw that one of the officials informed the office of the minister that the Christians have "surrendered". This was reported in the newspapers in the same way. Six people were arrested – 2 women, 2 young men who were minors, one small child and a teenager.

Inspector Prabhakar then spoke very rudely to me, "We know what to put inside the laptop that is with us. Even if there is no evidence, we know how to make the case against you very strong so the Christians will never come out of jail."

The lawyer assigned to us by the police station also told us not to give surety, despite our lawyer attempting to argue for us. The police officer took Rs. 35,000, without giving us a receipt, promising that they will make sure that they will help us instead.

The 2 women and 2 children were granted bail. The 2 young minors were taken to Mandya's jail, where they were told that there is no place in the prison. Then they were kept in Mysore Juvenile Jail for one week until they got bail. They all immediately returned to their native home, Bellary. They had only moved to look for daily wage labour.

Attack in Udupi on September 10, 2021,

Testimony of Pastor Vinay

I was conducting a prayer meeting in our village one day, in a venue called D'Souza Complex. We have been using the same venue since March, 2011. In September, there was weekend curfew, owing to COVID-19 protocols. So instead of praying on Sunday, I organised a prayer on Friday morning at a different prayer hall since D'Souza Complex was not available.

Within 15 minutes of praying, 25-30 men barged in causing a huge commotion by shouting and beating up people. Many of our believers sustained bruises and injuries from this violence. Two people's clothes were torn including a woman's blouse.

Soon after, the police entered the prayer hall and asked, "Why are you praying on Ganesh Chaturthi?"

I tried to explain that our prayer hall which we used for 10 years was suddenly unavailable, and there is a weekend curfew that will not allow us to have our prayer on Sunday.

I went to the police station to lodge a complaint against the miscreants and to my shock, there was already an FIR lodged against me under 295A by someone named Sunil, whom I remember meeting two years ago.

I continued to insist that they file a complaint against the violent extremists. I informed them that even a woman was attacked during this violence, whose blouse was torn. She also wanted to file a separate complaint but the police said that all the information can be in the same complaint.

They said that they have registered my complaint, but refused to give me any acknowledgement or document confirming the same. They asked the woman to bring the torn part of the blouse, and when she did, the police official said, "How do we know you have not cut this with scissors?"

For two weeks after that, prayers completely stopped. The police told us, "There will be a law-and-order problem, so it is better if we don't do prayer meetings at all. We cannot protect you if you still decide to do it."

Because of visits from police officials, my landlord told me to vacate the house I was living in, and gave me a month to find a new house. I finally found a house after two weeks, and was beginning to shift my belongings. One day, when I was in the police station for the purpose of the inquiry, the police officer asked, "Where do you live now?"

"I found a new house, sir."

"Do you have a rent agreement?" I said yes and agreed to send them a copy. They called my new

landlord and told him to evict me as soon as possible.

Now I live 37 kilometres away and it has been four days since I've lived in my new house.

Attack in Byadarahalli, Bengaluru in September 2021

Testimony of Pastor Rajesh

On a Sunday in September 2021, in a small prayer hall in Byadarahalli, Bengaluru, I was conducting a prayer meeting. I had been conducting prayer meetings every Sunday for 12 years in the same prayer hall, barring a few months during lockdowns owing to the COVID pandemic.

The Sunday mass began at 10 AM. After an hour, a group of 10 people wearing saffron scarves, led by a man called Puneeth Kerahalli, barged into the prayer hall. The group was taking videos on their phone and shouting at the believers and us (the pastors) using abusive language. Some of them are active workers of the RSS.

They demanded, "Show us the permission you got for conducting such prayer meetings? Who allowed you to use a speaker?"

They shot more videos of the believers while forcing them to answer, "Tell us your name and your caste! Which family were you born into? Where is your native home?"

The believers tried to explain that they believe in Christ. However, noticing that their names were still Hindu names, the mob started announcing in their video, "See these Hindus being forced to convert to Christianity! Pastors and churches are heavily funded by international Christian institutions. We are here to take action!"

The believers continued in vain, to explain that their grandparents are also Christians, and attempted to calm them down. Soon after, some of the believers joined us as we went to the Byadarahalli Police Station, when a bigger mob of 20-30 people assembled.

Some of these people were also neighbours of the church, who spoke very angrily, "These Christians make noise every day and this is not allowing the entire street to work, sleep or study." I was very shocked to see people with whom we were interacting regularly in the town, also join this mob and fuel this fight against us.

I responded by saying that we only conduct prayer meetings on Sundays, and this has been happening for the last 12 years. I tried to explain to the crowd and some police constables, "If we

were told even once that our loudspeaker is causing inconvenience to anyone else, we would not have used it. I am extremely sorry for causing disturbance in our locality.”

Puneeth and two other men from the group suddenly started telling the police that he was being forced to convert to Christianity. He showed the police some tracts about the Gospel. I told the police that I have never seen this person.

Another man introduced himself as a devotee of Anjanyeya and accused me of abusing Hindu gods. I immediately responded that neither I nor any other pastor that I know of, can do this. I told the police that they are making up these stories.

Finally, the police tried to disperse the crowd in vain. One official asked us to pay a fine for violating COVID-19 protocols during our prayer meeting. So, we paid the fine and returned to our homes.

Over the next two days, this group kept protesting in front of the police station and the BBMP office. The police visited all households of Christians and conducted a detailed inquiry into whether we are forcibly converting them or not.

Within a few days, we received a notice from BBMP (Annexed as Annexure B) saying that our church will not be allowed to continue prayers anymore. There was a second round of inquiries by the police when they took statements from Christians in the town, about whether we are paying them money to convert to Christianity.

After a few days, there was a new Police Inspector, who assisted us in resuming our prayer meetings and assured us that we should continue without fear. He asked to also respond to BBMP in writing, requesting them to give us permission.

Almost in every instance of mob violence studied in this report, it can be observed in the chain of events that the police have colluded with Hindutva groups. With the overt guidance of the local leaders of BJP, RSS, Bajrang Dal, Hindu Jagrana Vedike and Banjara Nigama, the police actively work to criminalise the lives of Christians and stop them from organising prayer meetings. This complicit role of the police emboldens a culture of intolerance and bigotry.

In most of the cases as narrated by victims, the police entered the prayer hall just a few minutes after the Hindutva group. This led many Christians to believe that the police knew that the attack would happen, and were supporting them in their crusade against Christianity.

Even after the police arrive, the role played by them is to join the Hindutva organisations in accusing the pastors of converting Christians against their will. In several instances, the police instead of protecting the victims of violence, take the Pastors and believers to the police station, interrogate them for hours, physically abuse them and register a case under Section 295A and 298 of the Indian Penal Code, 1860 against the pastors.

Despite serious efforts being made by the lawyers from the Christian community, in some of the cases, the police have refused to file a complaint against the mob leaders who engaged in physical abuse, sexual assault and damage to property. And in other instances, the police have threatened Christians with more cases if they do not pay the fines, cooperate and stop prayer meetings.

By subverting their role as law enforcement agencies and absolving themselves of the responsibility to maintain law and order, they have become an arm of social segregators and complicit in the strengthening of such Hindutva forces. During the narration of some cases, a few victims also pitied the police officers for being fewer in number than the Hindutva mobs.

In one such case, a pastor was narrating how the police entered the prayer hall as soon as one of the mob leaders called him. When three police officials entered the prayer hall, two mob leaders were sexually assaulting women who were trying to tell them to leave. Instead of taking action against the assaulters, the police demanded church documents from the pastors. When one of them said that they would bring it to the police station, the Sub-Inspector said, *“A very big mob is waiting outside the doors of your church. In order to disperse them, we need to see your documents first.”* After they gave the documents, they were taken to the police station, and an FIR was already lodged against them.

In some cases, the police follow a conciliatory approach and attempt to arrange a compromise between the Christians and the Hindutva groups. They do this by convincing the victims that filing complaints or pressing charges will bring them more trouble and inconvenience, and that they are better off if they do not go to court. In doing this, neither do they recognise the violation of fundamental rights of the Christians nor hold the miscreants accountable for inciting hatred, organising mob violence, using abusive and casteist language.

In a rare case, the police official apologised to the pastor for the disturbance caused by such vigilante groups. While the pastor told us how he felt the need to forgive, the Constitution demands that punitive action be taken against those who have blatantly violated someone’s fundamental rights.

At this juncture, it must be noted that the law on the role of the police is abundantly clear. As per Section 154 of the CrPC,²⁶ the police are required to take action as soon as they have information that an attack is likely to take place. Especially when communal hate crimes through physical, verbal, sexual violence are being perpetrated in the presence of the police itself, the police have no excuse to not initiate action through filing FIRs. Constitutionally, the Supreme Court in the case of *Tehseen Poonawalla* has clearly held that,

²⁶ <https://indiankanoon.org/doc/1980578/>

“17. There can be no shadow of doubt that the authorities which are conferred with the responsibility to maintain law and order in the States have the principal obligation to see that vigilantism, be it cow vigilantism or any other vigilantism of any perception, does not take place. When any core group with some kind of idea take the law into their own hands, it ushers in anarchy, chaos, disorder and, eventually, there is an emergence of a violent society. Vigilantism cannot, by any stretch of imagination, be given room to take shape, for it is absolutely a perverse notion.”²⁷

Undoubtedly, the principal obligation to stop such vigilantism is on the State. However, what we see as ground reality is that police embolden the vigilante groups by covertly and overtly supporting them.

It is critical to note that the State’s responsibility is three-fold: firstly, to prevent the occurrence of communal hate crimes; secondly, to ensure that punitive measures are taken against the perpetrators and; thirdly, remedial steps are taken to support the victims of such crimes. This plethora of duties remain unfulfilled by Karnataka police in these cases of hate crimes against Christians.

1.8 Long-term impact on the marginalization of the community

Many Christians have been wrongfully detained and then arrested. Many more have been brutally physically assaulted. Women who face sexual assaults do not have access to adequate healthcare or resources to fight for justice. Children have been witnesses to brutal mob violence.

The Hindutva extremist-led attack on the Christian community does not end with violence at their house of worship or the police station. It is an everyday lived reality in the form of threats to life, severe injuries, mental torture, hate speech, fake news, discrimination, social boycott, high expenditures for legal assistances and hospital bills and threats of losing livelihoods and social security.

The psychological impact of such a vast range of hate crimes carried out by neighbours, police officials and local mob leaders is one that has affected their livelihoods, food security and general well-being.

In one particular case in Chikkaballapur, after an attack against a prayer meeting, a woman (among many) was detained at the police station till 12 AM. Due to physical and mental fatigue, she could not go to her workplace the next day, and lost her job because of this.

²⁷ AIR 2018 SC 3354

In another case in Yadgir, a mob of 200 people gathered outside the church, in which only 15 people were praying on a Sunday morning. When they were taken to the police station, the pastor and some believers were charged under 295A and the police refused to file a complaint against any of the mob leaders. Four Christians spent 4 days in jail, and continue to face discrimination from schools, their workplaces, ration distribution shops and small businesses. Even a Panchayat member was actively exerting pressure on the Christians to stop going to church.

Chapter 2: Genesis of the Constitutional Freedom to Practice, Profess and Propagate Religion

All these hate crimes require us to pause and recollect the genesis of the right to freedom of religion. What does our constitution say about our right to practice, profess and propagate religion? This is the central question that will be answered in the course of this chapter.

The chapter on fundamental rights in the Indian Constitution consists of rights to equality, freedom, against exploitation, freedom of religion and cultural and educational rights.

Clearly for the framers of the Constitution, the right to freedom of religion was not just a sub-clause of the right to freedom of expression but was important enough to embody in a series of rights enshrined in Articles 25-28. Among these rights, the base right remains Article 25. The relevant part of Article 25 reads:

25. (1) Subject to public order, morality and health and to the other provisions of this Part, all persons are equally entitled to freedom of conscience and the right freely to profess, practise and propagate religion.

In the Constituent Assembly the major part of the discussion centered around the freedom to propagate religion.²⁸ There were voices which took strong objection to the freedom to propagate. Shri Lokanath Misra called it a 'Charter for Hindu enslavement' and 'the blackest part of the Draft Constitution' and went on to state that he had 'studied all the constitutional precedents and have not found anywhere any mention of the word 'propaganda' as a Fundamental Right, relating to religion.'

However, this opinion was strongly countered by a number of voices in the Constituent Assembly which made a compelling case for the constitutional protection of the 'freedom to profess, practise and propagate religion'.

Prof. K. T. Shah, argued for the 'right of freedom of propaganda', saying that he had 'no quarrel with the right that anybody professing any particular form of belief should be at liberty, in this Liberal State, to place the benefits or beauties of his particular form of worship before others.' The only caveat he entered was that 'undue influence' should not be exercised by 'those who are set in authority as teacher or preacher, physician, guardian or nurse, take advantage of their peculiar position to influence them.'

²⁸ Constituent Assembly Debates, Vol VII, 3rd. December, 1948 and 6th December, 1948, pp-817-842.

Pandit Lakshmi Kanta Maitra stated the 'Indian Christian community, so far as I am aware, spend to the tune of nearly Rs. 2 crores every year for educational uplift, medical relief and for sanitation, public health...catering to all classes and communities.' They have not utilized this sum of money 'for purposes of seeking converts'. He went on to state that 'the Christian community in India has not done that proselytising work with that amount of zeal and frenzy with which some of our friends have associated it' and concluded that, 'every single community in India should be given this right to propagate its own religion.' For him 'Propagation does not necessarily mean seeking converts by force of arms, by the sword, or by coercion' and he was at a loss to understand why there should be any 'obstacles...if by exposition, illustration and persuasion you could convey your own religious faith to others?' He concluded that he did not see any harm in including propagation and in fact this was 'the very essence of our fundamental right, the right to profess and practise any particular religion'.

The right to propagate was also supported by Shri L. Krishnaswami Bharathi who said that 'to say that some religious people should not do propaganda or propagate their views is to show intolerance on our part. Therefore, in good grace, the majority community should allow this privilege for the minority communities and have it for themselves as well.'

Shri K. Santhanam said that the only limitation on the 'right to unrestricted practice and propagation' was the limitations prescribed in the Constitution that the right could be circumscribed on grounds of 'public order, morality and health'. He concluded that 'this article has been very carefully drafted and the exceptions and qualifications are as important as the right it confers' and that 'the article as it stands is entitled to our wholehearted support.'

T.T. Krishnamachari offered the strongest defence to Article 25. He began on an autobiographical note saying that he had 'studied for about fourteen years in Christian institutions' and that 'no attempt had been made to convert' him. He saw the influence of Christianity as positive upon 'our own ideals and our own outlook' and supported the clause on 'propagation of religion.'

He also reflected upon why conversion was happening noting that it depended upon 'the way in which certain religionists and certain communities treat their less fortunate brethren' and that 'many people in this country have embraced Christianity...due partly to the status that it gave to them...An untouchable who became a Christian became an equal in every matter along with the high-caste Hindu, and if we remove the need to obtain that particular advantage that he might probably get—it is undoubtedly a very important advantage, apart from the fact that he has faith in the religion itself—well, the incentive for anybody to become a Christian will not probably exist.'

Babasaheb Ambedkar piloted Article 25 through the debates and was clearly one of the main forces behind the text of Article 25. The freedom to practice, profess and propagate religion was at the core of his philosophy and his life trajectory embodies a commitment to the idea that one must have the freedom to convert as an essential part of one's fundamental rights. It bears reminding that it was Babasaheb Ambedkar who said that, 'I was born a Hindu because I had no control over this but I

shall not die a Hindu.’ Towards the end of his life, he converted to Buddhism on October 14, 1956 along with half a million of his followers. Till today October 14 or the day of Dharma Diksha is celebrated by millions of his followers.

However, the broad emancipatory vision which underlies Article 25 was not understood by the judiciary in its 1977 decision in *Rev Stanislaus v State of Madhya Pradesh*²⁹ (delivered in the backdrop of the emergency) which narrowed down the broadly phrased constitutional freedom to propagate. The Supreme Court held that, ‘the word ‘propagate’...in Article 25 (1), does not grant ‘the right to convert another person to one’s own religion, but to transmit or spread one’s religion by an exposition of its tenets.’ The Supreme Court held that, ‘there can therefore be no such thing as a fundamental right to convert any person to one’s own religion.’ Using this understanding the Supreme Court held unconstitutional a Madhya Pradesh statute which criminalised conversion by ‘force, fraud or allurement’ as well as an Orissa statute which criminalised conversion by ‘force, fraud and inducement’. This remains a problematic decision as ‘allurement’ and ‘inducement’ are not the same as ‘force’ and ‘fraud’. The Supreme Court failed to recognise that the criminalisation of ‘allurement’ and ‘inducement’ impinges upon a person’s constitutional right under Article 25 to practice, profess and propagate one’s religion.

Interestingly the Orissa High Court judgement³⁰ which the Supreme Court overruled recognised the problem with the term inducement. As the Court observed, the definition of the term ‘inducement’ is vague and many proselytizing activities may be covered by the definition and the restriction in Article 25 (1) cannot be said to cover the wide definition.’ The Orissa High Court in fact did not see the need for the law noting that, ‘Prohibition of conversion by ‘force’ or by ‘fraud’ as defined by the Act would be covered by the limitation subject to which the right is guaranteed under Article 25 (1).’ Unfortunately, the well-reasoned judgment of the Orissa High Court was overruled in *Stanislaus*.

The problem with this decision also emerges in ground level testimonies. Often vigilante elements seeking to curtail the freedom of religion, feel that their unconstitutional actions are legitimized by the Supreme Court decision. Though *Stanislaus* should be read narrowly, at the ground level, it is used to legitimize attacks on the freedom to profess and practice the religion of one’s choice. Again, it should be noted that conversion per se is not an offence and a fidelity to the text of the Constitution would demand that it would be offence only if it was forcible or fraudulent. However, in the popular discourse today conversion per se is seen as an offence. This language of seeing conversion as an offence is the long term deleterious impact of the Supreme Court decision in *Stanislaus*.

This report in fact highlights how today what is under threat is the core freedom of Article 25. It is not only the freedom to convert and be converted which is being questioned, but equally the freedom to profess and practice one’s faith. The series of hate crimes on Christian prayer congregations and

²⁹ (1977) 1 SCC 677, <https://main.sci.gov.in/jonew/judis/5403.pdf>

³⁰ Mrs. Yulitha Hyde and Ors. V State of Orissa and Ors., AIR 1973 Ori 116

churches is not about the freedom to convert but really about the freedom to pray and pray in a community. The ground level impacts that *Stanislaus* has led to, make it very important that this decision be reconsidered.

Clearly the decision in *Stanislaus* is at odds with the intention of the members of the Constituent Assembly in passing Article 25. The drafters were clear that the right to propagation included the right to convert, as the freedom to choose was the essence of the right to be human.

The scope of anti-conversion laws was sought to be regulated in a decision by the Himachal Pradesh High Court in *Evangelical Fellowship of India Vs. State of Himachal Pradesh*³¹, in 2012. The High Court declared Section 4 of the Himachal Pradesh Freedom of Religion Act, 2006 and Rule 3 of the Himachal Pradesh Freedom of Religion Rules, 2007 as violative of Article 14 and ultra vires the provisions of the Constitution of India. The provision for providing information to the authorities was also declared unconstitutional on the ground that it violates the human dignity and right to privacy. However, the State of Himachal Pradesh repealed the 2006 Act and replaced it with Himachal Pradesh Freedom of Religion Act, 2019 which is even more draconian than the original law.

The decision in *Stanislaus* must be reconsidered in the light of the 2015 decision in *Puttaswamy v Union of India*³², which has recognized the right to privacy as a fundamental right. The Supreme Court held that, 'privacy is the ultimate expression of the sanctity of the individual. It is a constitutional value which straddles across the spectrum of fundamental rights and protects for the individual a zone of choice and self-determination.'

The Court went on to hold that,

"Read in conjunction with Article 21, liberty enables the individual to have a choice of preferences on various facets of life including what and how one will eat, the way one will dress, the faith one will espouse and a myriad other matter on which autonomy and self-determination require a choice to be made within the privacy of the mind."

In 2018, the Supreme Court in *Shafin Jahan vs Asokan K.M*³³, has also recognized matters of faith as intrinsic to the right to personal liberty and held that

"The Constitution guarantees individuals to take decisions on matters central to their pursuit of happiness. Matters of belief and faith, including whether to believe, are at the core of constitutional liberty."

³¹ 2013 (4) RCR 283 (Civil)

³² (2017) 10 SCC 1

³³ (2018) 16 SCC 368

In the light of the emergence of privacy as a constitutional right and the notion that the choice of faith is an integral dimension of the right to autonomy, the ground has shifted under the *Stanislaus* judgement. The issue of conversion is a matter of personal faith, conviction and conscience and the imposing of stringent conditionalities and requirements to undergo conversion only renders the protection of Article 25 nugatory.

The bone of contention under Article 25 ever since the drafting of the Constitution was the right to propagate. The right to propagate which had such strong support in the Constituent Assembly was eviscerated by the Supreme Court decision in *Stanislaus*. However, with the recent jurisprudence of the Supreme Court following the *Puttaswamy* and *Shafia Jahan* judgements, the rationale of *Stanislaus* must be reconsidered as the right to choose one's religion is a fundamental part of the right to autonomy and dignity, and should be constitutionally recognized.

It is worth noting that a challenge to the constitutionality of the UP Freedom of Religion Act 2021, is pending in the Supreme Court since January 2021.³⁴ The challenge to the Gujarat Freedom of Religion Act of 2003 and 2021 in the Gujarat High Court has shown more promise.³⁵ The Gujarat High court has ordered a stay on the latter's sections 3, 4, 4A to 4C, 5, 6 and 6A. In ordering this stay, it was also observed that *prima facie* it appears that the law "*interferes with the intricacies of marriage including the right to the choice of an individual, thereby infringing Article 21 of the Constitution Of India*".

However, today the other limbs of Article 25 are under attack, namely the right to profess and the right to practice one's religion. This is an integral part of the protection under Article 25.

In the Constituent Assembly, Ghanshyam Singh Gupta explained what the profession of a faith could mean. 'If a man has a religion, then he is free to profess whatever religion he likes, either Islam, or Hinduism, or Buddhism or Sikhism and so on. Then, professing that religion, he is free to practice the dictates of that religion. For instance, if Islam requires that there should be a namaz, a Muslim is free to practice it and also to propagate it.'

The Supreme Court observed in *Ratilal Panachand Gandhi vs The State of Bombay*,³⁶

"Thus, subject to the restrictions which this article imposes, every person has a fundamental right under our Constitution not merely to entertain such religious belief as may be approved of by his judgment or conscience but to exhibit his belief and ideas in such overt acts as are enjoined or sanctioned by his religion and further to propagate his religious views for the edification of others."

³⁴ WP(C) 428/2020

³⁵ Order dated 19.08.2021 in R/Special Civil Application No. 10304/2021.

³⁶ 1954 AIR 388

When Christians pray in churches or pray in their homes, they are doing nothing more than exercising their right to profess and practice their faith. This attack by right wing elements is nothing other than an attack on the right to profess a faith and practice a faith, leave alone propagate a faith. If these hate crimes are allowed to continue then Article 25 will survive in name only.

Chapter 3: The irony of ‘Freedom of Religion’ Laws

Despite the constitutional safeguards in place, in nine other states ‘freedom of religion laws’ is used to criminalise the practice of faith. This is the reason why people of Karnataka are resisting it tooth and nail. How do these state laws provide for such criminalization to take place? Through the legal history of these laws, we unpack the irony.

Law as an instrument of oppression of religious freedom while ironically being titled as “*freedom of religion*” acts is not new. This phenomenon started in the late 1960s with the State of Odisha leading the effort to dismantle the fundamental right of religious freedom. Five decades later, it begs reiterating that under Article 25 of the Constitution, freedom of conscience - practising, professing and propagating religion is a fundamental right of all citizens.

Currently, “Freedom of Religion Acts/Ordinances” exist in some shape and form in 9 States, namely, Uttarakhand, Himachal Pradesh, Arunachal Pradesh, Uttar Pradesh, Chhattisgarh, Odisha, Jharkhand, Madhya Pradesh and Gujarat.

In 1967, when the first Act titled Freedom of Religion Act was passed by Odisha,³⁷ it prohibited conversion/attempt to convert/abetment to convert by use of force/inducement and by fraudulent means. It was punishable with fine up to Rs 5,000 and imprisonment up to one year. More specifically, any attempt to convert, abetment to convert and conversion of a women, minor child especially from the SC/ST community was punishable with imprisonment up to 2 years and fine up to Rs 10,000/.

A year later, in 1968 similar acts were passed by both Madhya Pradesh and Chhattisgarh. The Madhya Pradesh Dharma Swatantrya Adhiniyam, 1968³⁸ and Chhattisgarh Freedom of Religion Act, 1968³⁹ were identical to the Orissa Freedom of Religion Act, except, one provision which required an “*Intimation to be given to the District Magistrate with respect to conversion*”.⁴⁰

A decade later, Arunachal Pradesh passed the Freedom of Religion Act.⁴¹ According to this Act, the definition of religious faith includes any indigenous faith. The definition of indigenous faith is a unique provision in contrast to the other acts. Indigenous faith includes the practice of rites, customs,

³⁷ <https://cjp.org.in/wp-content/uploads/2017/12/ORISSA-FREEDOM-OF-RELIGION-ACT-1967.pdf>

³⁸ <https://cjp.org.in/wp-content/uploads/2017/12/MADHYA-PRADESH-DHARMA-SWATANTRYA-ADHINIYAM-1968.pdf>

³⁹ <https://www.yumpu.com/en/document/view/37652925/chhattisgarh-freedom-of-religion-amendment-indian-christians>

⁴⁰ Section 5 of the Madhya Pradesh Dharma Swatantrya Adhiniyam, 1968, Section 5 of the Chhattisgarh Freedom of Religion Act, 1968.

⁴¹ <https://cjp.org.in/wp-content/uploads/2017/12/Arunachal-Pradesh-Freedom-of-Religion-Act-1978-.pdf>

belief by people belonging to indigenous communities. It prohibits the attempt to convert/abetment to conversion and conversion directly or otherwise by way of force/inducement/any fraudulent means. It is punishable with imprisonment up to two years and fine up to ten thousand. This act also requires an intimation of conversion to be given to the Deputy Commissioner, which can then be inquired into by the police official of a rank of Inspector and above. A failure to follow this process of intimating the Deputy Commissioner without sufficient cause invites imprisonment extending up to a year and fine up to one thousand.⁴²

In 2003, the Gujarat Freedom of Religion Act⁴³ was passed. While the prohibition on conversion under Section 3 was the same as Chhattisgarh, Madhya Pradesh and Orissa, the punishment for attempt to convert/abetment to convert and conversion was higher. The imprisonment can extend up to three years and a fine of Rs 50,000/-. In case of a woman or minor child especially belonging to the SC/ST community, the imprisonment can be up to 4 years and fine up to 1 lakh. This Act makes a shift from the requirement to intimate a jurisdictional authority regarding conversion to now expressly take prior permission from the District Magistrate to convert in a prescribed format.⁴⁴

The Himachal Pradesh Freedom of Religion Act of 2006⁴⁵ has the same prohibition on fraudulent/forceful and conversion by inducement, and prescribes a punishment of imprisonment up to 2 years and fine up to Rs 25,000/- for such conversion. More specifically, it states that any conversion that takes place in violation of Section 3 of the Act, shall be deemed to have not been converted. It requires a notice of intention to be submitted to the District Magistrate 30 days in advance which the DM can inquire into.

For a decade after this act, there was silence as no other states undertook similar laws and no amendments were carried out to these to the so-called freedom of religion acts.

With the Bhartiya Janta Party coming to power in 2014, the freedom of religion acts started seeing shifts through amendments, ordinances and new state legislations.

In 2017, the Jharkhand Freedom of Religion Act^{46[10]} was passed which prohibited forcible conversion. Up until now, the offence of forcible conversion was recognized as a cognizable offence. However, this act additionally recognized the offence of forcible conversion as also non-bailable. It required a prior permission for conversion from the District Magistrate. A failure to follow the

⁴² Section 5 of the Arunachal Pradesh Freedom of Religion Act, 1978.

⁴³ <https://www.indiacode.nic.in/bitstream/123456789/4660/1/freedomofreligion.pdf>

⁴⁴ Section 5 of the Gujarat Freedom of Religion Act, 2003.

⁴⁵ https://www.indiacode.nic.in/bitstream/123456789/5395/1/the_himachal_pradesh_freedom_of_religion_act%2C_2006.pdf

⁴⁶ https://www.indiacode.nic.in/bitstream/123456789/4743/1/657_2_2017.pdf

procedure of prior permission without sufficient cause, is punishable for imprisonment up to one year and fine up to one thousand.

A year later, in 2018, the Uttarakhand Freedom of Religion Act⁴⁷ was passed. This Act was the first to prohibit conversion from one religion to another by way of misrepresentation and marriage apart from the routinely found prohibition on conversion by force, fraud, undue influence, coercion, allurement. This Act introduced the concept of a declaration before conversion coupled with a pre-report about “purification sanskar”. A “purification sanskar” is the religious ceremony performed to convert a person by the priest of any religion.

This requires a person to give one month’s advance notice to the District Magistrate about conversion. The District Magistrate after receiving this information shall conduct an inquiry through the police regarding the **“real intention, purpose and cause of the conversion.”** Failure to follow this procedural requirement for advance notice and declaration, renders the conversion itself illegal and void.⁴⁸ In case an organisation/institution is behind forcible conversion, their registration may be cancelled.⁴⁹ Such organisations and persons violating the act, are barred from accepting any donations/contributions within the country or abroad.⁵⁰ The Act reverses a crucial principle of criminal justice system by reversing the burden of proof on the person who has converted/facilitated conversion. This means that the person who has converted has the burden to prove that the conversion was not affected through misrepresentation, force, allurement, fraudulent means or by marriage.⁵¹ It declares all marriages performed for the sole purpose of conversion and vice versa to be declared null and void.⁵²

The Himachal Pradesh Freedom of Religion Act of 2006 was amended in 2019⁵³ replicating the provisions of the Uttarakhand Freedom of Religion Act to extend the prohibition of conversion by misrepresentation as well as marriage. It included the requirement of declaration before conversion as well as a pre-report about purification sanskaar. Akin to the Uttarakhand Act, the Himachal Pradesh Act reversed the burden of proof on the person converted or the person facilitated the prohibited conversion.

⁴⁷ https://prsindia.org/files/bills_acts/acts_states/uttarakhand/2018/Act%2028%20of%202018%20UKD.pdf

⁴⁸ Section 8 of the Uttarakhand Freedom of Religion Act, 2018

⁴⁹ Section 10 of the Uttarakhand Freedom of Religion Act, 2018

⁵⁰ Section 11 of the Uttarakhand Freedom of Religion Act, 2018

⁵¹ Section 13 of the Uttarakhand Freedom of Religion Act, 2018

⁵² Section 6 of the Uttarakhand Freedom of Religion Act, 2018

⁵³ https://himachal.nic.in/WriteReadData/l892s/10_l892s/THE%20HIMACHAL%20PRADESH%20FREEDOM%20OF%20RELIGION%20ACT%202013%20of%202019-95744581.pdf

In the peak of COVID – 19 cases in 2020, Uttar Pradesh promulgated an ordinance titled *“The Uttar Pradesh Prohibition of Unlawful Conversion of Religion Ordinance”*.⁵⁴ This ordinance was promulgated in November 2020 and passed by the Assembly as an Act⁵⁵ in March 2021. The Act and ordinance were identical in their provisions. This Act prohibits the conversion from one religion to another by misrepresentation, force, fraud, undue influence, coercion, allurement or marriage. It recognises the offence of conversion, abetment to conversion in any of the above prohibited methods both a cognizable and non bailable offence. The Act declares marriages done for the sole purpose of unlawful conversion or vice versa as void. The Act criminalizes conversion before and after marriage when the conversion takes place for the sole purpose of marriage and vice versa. It requires a declaration to be submitted before the District Magistrate 60 days prior to the conversion as well as an advance notice of thirty days by the “religious converter” who performs the conversion ceremony. The District Magistrate after receiving the information shall mandatorily inquire through the police into the *“real intention, purpose and cause of the proposed conversion.”*

Uniquely, the Act requires a declaration within 60 days of conversion even post conversion to be sent to the District Magistrate. This declaration requires the name before conversion and after conversion, parents details, address of the person, caste and even the details of the priest that performed the conversion ceremony. This declaration is then publicly exhibited on the notice board along with the address of the person that is in the process of converting. In reality, we see this declaration being used as an informational tool by the Hindutva groups to systematically attack those converting their religion. After 21 days of filing the declaration, the converted individual is also required to appear before the District Magistrate to establish identity and confirm the contents of the declaration. Similar to the Uttarakhand Freedom of Religion Act, the ordinance envisions cancellations of registration of those institutions and organisation that violate the ordinance. The State is also specifically barred from providing any financial grant/aid to such organisations and institutions. The burden of proof is on the accused person who converts. This reversal of burden of proof emerges as a regular feature in all the “freedom of religion” laws after 2016.

Madhya Pradesh, through an ordinance⁵⁶ repealed its previous 1968 Act in 2020. The ordinance now bars conversion/attempt to convert/abetment/conspire to convert by misrepresentation, force, fraud, allurement, threat, coercion or by marriage. Marriage that is done for the sole purpose of

⁵⁴ https://prsindia.org/files/bills_acts/bills_states/uttar-pradesh/2020/UP%20Prohibition%20of%20Unlawful%20Conversion%20of%20Religion%20Ordinance,%202020%20.pdf

⁵⁵ https://prsindia.org/files/bills_acts/acts_states/uttar-pradesh/2021/Act%20No%203%20of%202021%20UP.pdf

⁵⁶ https://prsindia.org/files/bills_acts/bills_states/madhya-pradesh/2021/MP%20Ordinance%20No.1%20of%202021.pdf

conversion and vice versa, shall be deemed null and void. The ordinance has increased punishment up to 10 years and fine of Rs 50,000/- for conversion of a minor/woman/person belonging to SC/ST community.

Finally, the most recent Gujarat Freedom of Religion (Amendment) Act⁵⁷ was passed in 2021. This amendment widens the prohibition on conversion to include conversion for marriage and vice versa. It declares such marriages to be void. Expectedly so, the amendment reverses the burden of proof on the person converting or aiding/abetting/counselling/facilitating conversion.

The irony in the name of these laws as “Freedom of Religion” continues to be apparent. In operation, these laws are far from propagating freedom of religion but are in fact used to impinge on the freedom of religion.

Another troubling aspect of these laws is the heightened punishments for the forcible conversion of women, minor children and persons of SC/ST community. The law itself assumes that forcible conversion of women, minor children and SC/STs are far worse than persons not belonging to these groupings without explaining what the intelligible differentia between these two groupings are. It is our understanding that the increased period of imprisonment and fine that are prescribed by these so-called freedom of religion laws is worded in a way that infantilize the agency to choose the religion of women and persons of SC/ST community.

Over the last five decades, there are four shifts in the text of the law that allow for these freedom of religion laws to be weaponised against members of the minority religious community even more than before.

Firstly, the prohibition of conversion now includes conversion for marriage or vice versa, and goes on to declare marriages done solely for the purposes of conversion or conversion done solely for the purposes of marriage as null or null and void both. This blanket bar on conversion as an ancillary for marriage undermines an individual’s most inherent and fundamental right to choose that is constitutionally guaranteed.

Secondly, the shift that is observable today is in the nature of offence that forcible conversion is – from a cognizable offence, today it is a non bailable offence. This makes bail extremely difficult for the accused, especially given the reality that large numbers of people that are targeted through these Freedom of Religion Acts are marginalized and unable to afford legal support.

Thirdly, the reversal of burden of proof on the person who attempted to convert/converted/abetted conversion that he/she/they did not convert by fraud/force/misrepresentation/coercion/allurement or for marriage. This places a disproportionate

⁵⁷ <https://www.theleaflet.in/wp-content/uploads/2021/08/2021-Amendment-Act-C.pdf>

burden on the accused to prove themselves innocent. It also reverses the crucial presumption of criminal law i.e., a person innocent until proven guilty.

Fourthly, the law has moved from requiring to provide an intimation to the District Magistrate regarding conversion to now requiring a prior permission/application to be made in advance along with a declaration of conversion in a prescribed format. It even prescribes the District Magistrate the power through the police to inquire into the *“real reason, purpose and cause of the conversion”*. Failure to follow the procedural nuances of these declarations is criminally actionable that can be initiated by the District Magistrate. This reflects the lens of suspicion that all conversions are viewed under law. This suspicion has translated to the media coverage, forming the public perception that conversion inherently is wrong and illegal.

A section of law that has continued to bring in vagueness and arbitrariness in the law is the concept of allurement. To understand the manifest vagueness of the definition of allurement, let us look at one example of the UP Freedom of Religion Act, 2021.

2. In this Act, unless the context otherwise requires,-

(a) "Allurement" means and includes offer of any temptation in the form of-

(i) any gift, gratification, easy money or material benefit either in cash or kind;

(ii) employment, free education in reputed school run by any religious body; or

(iii) better lifestyle, divine displeasure or otherwise;

Allurement includes not only material benefits but all kinds of intangible, unmeasurable needs that human beings inherently have such as gratification, better lifestyle. The broad scope of the law allows for anything to be included under “gratification” and a “better lifestyle”. Everything then becomes an illegal conversion. Principally the argument remains, that yearning for a better lifestyle and gratification is not illegal as per the Constitution. In fact, spiritual needs have been included in the understanding of the right to health by the Supreme Court. The Supreme court in the State of Punjab and Ors. vs. Ram Lubhaya Bagga and Ors⁵⁸. held that,

“In other words, man's life should be meaningful, worth living. Pith and substance of life is the health, which is the nucleus of all activities of life including that of an employee or

⁵⁸ MANU/SC/0156/1998

other viz. the physical, social, spiritual or any conceivable human activities. If this is denied, it is said everything crumbles.”

In the present context in Karnataka, where the Chief Minister⁵⁹ and Home Minister⁶⁰ of the State have made repeated public statements regarding an anti-conversion bill in the pipeline. An Anti-conversion Bill in Karnataka is a matter of grave concern for all those who believe in the supremacy of law and fundamental rights. These freedom of religion laws in the 9 states have been heavily critiqued for their inherent vagueness and arbitrariness. They are ridden with imprecise and uncertain terminology.⁶¹ As the people of Karnataka, we ought to learn from the criticisms of these laws of different states and unequivocally oppose it. These laws pose a challenge to the fundamental right of freedom of religion and we must strongly oppose such an anti-choice, anti-people law in Karnataka.

⁵⁹ <https://timesofindia.indiatimes.com/city/bengaluru/we-plan-to-table-anti-conversion-bill-during-december-session-in-belagavi-karnataka-cm-basavaraj-bommai/articleshow/87597161.cms>

⁶⁰ <https://timesofindia.indiatimes.com/city/bengaluru/will-soon-bring-bill-against-forcible-conversions-karnataka-minister/articleshow/86415250.cms>

⁶¹ *Anti-Conversion Laws: Challenges to Secularism and Fundamental Rights*, Economic Political Weekly, January 12 2008, South Asia Human Rights Documentation Centre

Chapter 4: Deciphering media narratives on the myth of conversion

There can be no doubt that in today's world the media has a huge role to play in shaping public opinion. Over the years, the majoritarian interest has become a default journalistic code of mainstream Kannada media.⁶²

One would imagine that after all these attacks on Christians, the Kannada media would at least report on them. Instead, what we see is that the media begins its consistent attack on the Christian community from the 1st of April 2021, on the false pretexts of mass illegal conversions. While this kind of coverage is not fully new to the viewers, this time the reportage has taken the form of consistent “expose” with an implied sense of criminality of the Christians.

A key figure in the media coverage was MLA Goolihatti Shekhar and his mother. Statements such as, *“The death of Goolihatti Shekhar’s brother became a reason for converters! The mother drowned in sorrow, was introduced to Jesus and converted! Why did MLA Goolihatti Shekhar’s Mother convert, and how?”* were being aired by these channels. It reflects the media’s inherent patriarchal stance that they cannot fathom that woman can choose their own religion and believe that somehow a son is more entitled to decide his mother’s religious belief systems.

The media’s coverage of issues affecting Indian minorities has become further skewed away from their rights and towards their demonisation in recent years. An earlier report by Campaign Against Hate Speech, (*‘The Wages of Hate: Journalism in dark times’*, September 2020), examined patterns in the media when it came to coverage of minorities. This report looked at how the protests against the Citizenship Amendment Act and the communalisation of the COVID-19 pandemic were covered by the Kannada media. The report identified defamation, the floating of conspiracy theories, the disproportionate space and time given to Hindutva groups and their perspective, the absence of objectivity, the trial by the media as if the evidence were in and it was sitting in adjudication and the use of fake news and half-truths. It also looked at the fallout and impact of such coverage.

Many of the same patterns, which appear to have taken deep root in the media now, are also visible here. Kannada media unsurprisingly continued to cover conversions or “matantra” just as sensationally if not more, as they covered the anti-CAA dissenters. They draw no distinction between a conversion as a matter of right in the practice of Article 25 and the so-called myth of forced conversion.

⁶² Wages of Hate: Journalism in Dark Times, <https://hatespeechbeda.wordpress.com/2020/09/08/report-wages-of-hate-journalism-in-dark-times/>

On the issue of religious freedom, the national media did not have the levels of interest in goings-on in Karnataka. It was primarily the local and mainly the Kannada media where the material was printed and broadcast.

Given below is an analysis of programmes on conversions to Christianity, by major Kannada TV news channels, Asianet Suvarna News, Public TV, TV 5 etc.⁶³ As is clear from the analysis, **the media coverage is a mix of specious arguments, misleading statements, outright falsehoods, one-sided reporting and bias in favour of Hindutva forces and against Christianity. The reports are mostly sensationalist in nature, often deploying the device of ‘sting operations’ as if someone had been caught doing something illegal, whereas constitutionally, the activities are not only legal but an exercise of fundamental rights.**

It should be noted that the mainstream media coverage works in sync with social media activity by Hindutva forces through videos circulated on WhatsApp and posted on Facebook, often with organised manipulation of ‘trending’ so as to give social media users the impression that hundreds and thousands of people are discussing the topic and it is of great concern.

Case studies from Karnataka recorded in the Open Doors-LSE report on persecution of Christians in India (‘Destructive Lies’, July 2021) reveal that Hindutva vigilantes regularly break into small churches, often filming their vigilantism while snatching away phones of the pastor and his family, preventing them from recording the violence.

This footage creates a dual function of reinforcing stereotypes and disinformation about forced conversions, manipulation of poor/backward Hindus as well as enhancing the image of the vigilante. The footage helps promote the political career and/or social standing of the vigilantes as ‘activists’ doing selfless work in safeguarding the moral life of the Hindu community. Mainstream media narratives complement the social media discourses of Hindutva forces by sensationalist misinformation on their news programmes. These media reports also appear to work hand in glove with a hostile state apparatus including police officials, lower court functionaries and administrative officials. Politicians, especially from the BJP, regularly cite media reports when they speak of the urgency and importance of a new law banning ‘forced’ conversions while the media reporting regularly broadcasts speeches made on the issue by politicians such as Shekhar Goolihatti (MLA,

⁶³<https://www.youtube.com/watch?v=sjfrM2ofEas&t=155s>, <https://www.youtube.com/watch?v=SLw1NAC3-pw>, <https://www.youtube.com/watch?v=azLp4csiD7I&t=39s>, <https://www.youtube.com/watch?v=w7DBczqz6bA>, <https://youtu.be/1kQ0fszWxz0>, https://www.youtube.com/watch?v=i_x7Pzl-Y_Y, <https://www.youtube.com/watch?v=3Sfr-s2iD04>, <https://youtu.be/5Exz01wGSCQ>, <https://youtu.be/DtAcSWtsQQ>, https://youtu.be/k0GY3Kkj_h8, <https://youtu.be/8C8g4aAksqU>, <https://youtu.be/hjWjzU6LgeA>, <https://youtu.be/cAM1-CVg-rM>, <https://www.youtube.com/watch?v=hjWjzU6LgeA>, <https://youtu.be/Xd5AK3G-HTg>, <https://youtu.be/HIVOClim0gE>, <https://youtu.be/g5ExuAd5w9I>

Hosadurga), Home Minister Jnanendra, Chief Minister Bommai and others to validate their content against Christians.

The following broad patterns are discernible in the media's coverage of the current wave of hate crimes on Christians and their religious activity in Karnataka:

1. Presumption of guilt

The everyday religious activity of Christians is given a sinister hue. The language is prosecutorial and assumes that the activity of Christians is suspect. The notion that 'mass forced conversion' is currently underway and indeed it is 'rampant' is communicated to the audience constantly. Anchors and reporters speak of foreign money being used in propagation without evidence.

2. Avoiding references to individuals' fundamental rights

The media willfully restrains from talking about the right of people to freely practice their faith. Infact, the focus of the media is on how the right can be prevented from being exercised by repeatedly stating that there is no right to convert.

3. Tolerance of vigilantism and absence of rule of law

The illegal hindering of routine religious activity is passed over without comment. The use of coercion and force, even violence, is seen as justified by the media, with the taking of sides against those who are religious minorities. It has become commonplace for mainstream media to use the word activists to describe the leaders and members of Hindutva organisations that were behind attacks on Christians. It gives the impression that these people have a just cause within the meaning of the constitution that they are fighting for. In reality, they are an affront to the constitutional values and as a matter of routine take law in their own hands.

4. Hate speech

The words used in the television segments are those that are slanted against the Christians. Phrases such as 'Mantantara Mafia' (conversion mafia) and 'Aamisha' (bribes) are offered as truths, while propagation is referred to as 'brain-washing'. It is crucial to note that majority of such coverage is targeting Dalit Christians. Such hate speech against them must be understood as a result of the structural caste concentration in news rooms.⁶⁴

5. Sensationalism and one-sided coverage

The statements of Hindu mathas on the issue is telecast as news without either a response from the churches and Christian individuals or any journalistic parsing of the language used in these

⁶⁴ Wages of Hate: Journalism in Dark Times, <https://hatespeechbeda.wordpress.com/2020/09/08/report-wages-of-hate-journalism-in-dark-times/>

statements. Anchors give advice to Hindutva organisations to broadcast religious instruction as a way to prevent propagation by Christians. Another advises the Rashtriya Swayamsevak Sangh spokesperson on the show to 'counter' the missionaries. Accusations of coercion and even violence as part of propagation are rendered without evidence.

6. Blurring all lines between illegal and legal conversions

The Kannada media's presumption today is that all conversion is illegal. The media reflects no understanding of the fundamental right one has to make individual choices with regard to especially intimate matters such as religion, sexual preferences etc which are constitutionally guaranteed.

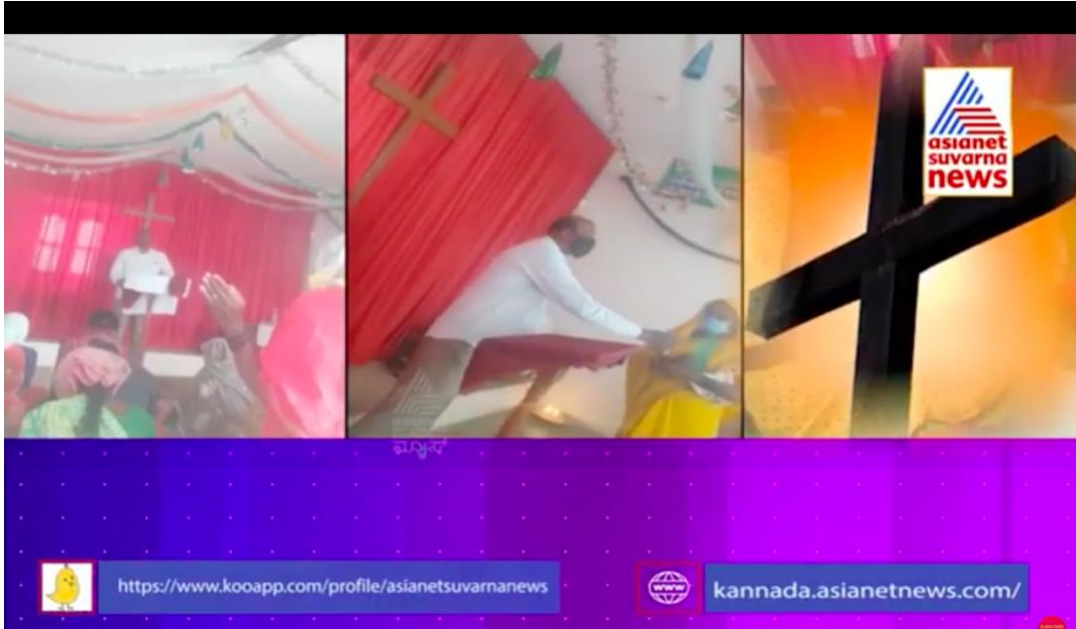
7. Excuse of investigative journalism

Under the garb of investigative journalism, the media has been breaking into prayer meetings, houses of individuals with their cameras to portray those of the Christian faith as criminals. In the so-called exposes the visuals are of four kinds:

- There are random visuals of people walking around in the street with no connection to Christianity.
- Visuals of people in a socially distanced gathering apparently in a prayer meeting.



- Visuals of a small prayer meeting without any audio to show what was being said. Wherein the priest is seen giving a small packet, possibly the prasada.



All these visuals are paired with celebratory music to create this feeling of excitement and anticipation around what the channel is going to do after tracking these conversions. No footage has the date of the recording and does not specify if it is a file footage or live. This specification is mandated by the Code of Ethics of the News Broadcasting and Digital Standards Authority.

At least at the time of their initiation, they appear to be more to divide the population using concocted misinformation. This classic strategy of propaganda has historically proved to be very effective in the pursuit of majoritarian agendas.

Given how normalised such coverage has become, one might think that this is the norm of how media can legally function. In reality, the media is required by law to strictly abide by the Program and Advertisement Code under the Cable Television Network Rules, 1994.⁶⁵ According to this Code,

“1. No programme should be carried in the cable service which:-

c) Contains attack on religions or communities or visuals or words contemptuous of religious groups or which promote communal attitudes;

⁶⁵ <https://mib.gov.in/sites/default/files/pac1.pdf>

d) Contains anything obscene, defamatory, deliberate, false and suggestive innuendos and half truths;

e) is likely to encourage or incite violence or contains anything against maintenance of law and order or which promote anti-national attitudes

i) Criticises, maligns or slanders any individual in person or certain groups, segments of social, public and moral life of the country

m) Contains visuals or words which reflect a slandering, ironical and snobbish attitude in the portrayal of certain ethnic, linguistic and regional groups;"

Along with the Program and Advertisement Code, the self-regulatory body of News Broadcasting Standards Authority⁶⁶ has laid down more detailed Code along with periodic Guidelines and Advisories which have a specific bar on sensationalization. This Code of Ethics and Broadcasting Standards requires the media to report impartially, objectively and neutrally.

Aggrieved by these gross violations, Campaign Against Hate Speech filed two complaints against the Asianet Suvarna⁶⁷ before the News Broadcasting and Digital Standards Authority and Dighvijay TV before the District Level Monitoring Committee of Bengaluru.⁶⁸ The News Broadcasting and Digital Standards Authority has dismissed the complaint on grounds of a one-day delay in filing the complaint, arguably erroneously and with malice. District Monitoring Level Committee has not even bothered to acknowledge the complaint despite repeatedly bring it to their attention. There is gross failure of fulfill their duties on both the part of the channels and the regulatory bodies in holding channels accountable.

⁶⁶ <http://www.nbanewdelhi.com>

⁶⁷ <https://hatespeechbeda.wordpress.com/2021/03/14/complaint-13-03-2021-complaint-against-asianet-suvarna-news-for-the-mahaexclusive-and-cover-story/>

⁶⁸ <https://hatespeechbeda.wordpress.com/2021/04/29/complaint-28-04-2021-complaint-against-digvijay-news/>

Chapter 5: Moving forward with resilience

Even without the anti-conversion law in Karnataka, it is evident through the incidents we have detailed above that hate crimes are being perpetrated against the Christian community on the pretext of conversion. The reality today is that the Christian community is not only curtailed from practising their religion but are violently attacked for it. The weekly recurrence of hate crimes on Christians is already showing psychological and real-life impacts. With this nature of violent hate crimes having far-reaching consequences, what is really at stake is the core constitutional value of fraternity and the fundamental right to practice religion.

Despite constant harassment by the Hindutva groups, the Christian community resisted the alleged claims against them. In some cases, when the pastors or believers were attacked, the individual pastor with the help of lawyers from the community had registered FIRs against the Hindutva mob.

Even in 2008, when attacks on the Churches took place, at many places the Christian community held protests, condemning such attacks. In 2011, the International Freedom of Karnataka Christian Association (IFKCA) had submitted a memorandum to the then Chief Minister B.S Yeddyurappa. The CM had informed the delegation that there were 26 cases against 338 Christians during the attack. The group also met the then Home Minister R. Ashok and the Minister assured that the cases will be withdrawn.⁶⁹

Sometimes, these attackers have personally targeted individuals of the Christian faith. One classic case was the unfurling of the Shiva statue inside Begur lake by the Hindutva mob. A Christian individual who is an environmentalist was the petitioner before the court arguing against the unauthorized construction of a statue. The High Court of Karnataka ordered Bangalore Police Commissioner to look into the matter. The HC observed that *"...openly in daylight, the orders of the court are defied. This is sheer lawlessness. The State government cannot be a party to this and it must take immediate action."*⁷⁰

In another instance in Belur, Hassan district, Bajrang Dal members entered the step of the worship place and tried to disrupt the prayers. The brave women of the community stood shoulder to shoulder and confronted the Bajrang Dal group.

In Hubballi the United Dharwad District Christian Pastors and Leaders Alliance for Peace March wore black dresses and masks and protested the hate crimes on the community. They also demanded that they be allowed to practice their faith as it was their constitutional right and sent memorandums to the Chief Minister, Home Minister and leaders of opposition parties in Karnataka.⁷¹ In Chikkaballapur, a rally was organised by the Dalit and Christian community. They marched from Jai Bheem hostel to

⁶⁹ <https://daijiworld.com/index.php/news/newsDisplay?newsID=95605>

⁷⁰ <https://www.indiatoday.in/law/story/karnataka-hc-cracks-whip-over-shiva-statue-installation-in-begur-lake-1839765-2021-08-11>

⁷¹ https://drive.google.com/file/d/18_1RseUGPV0t4NB4W_N9D_YzjwLESC2Y/view

the district office. Similarly, a 12-kilometre-long protest was held in Anekal against the targeted hate crimes against the Dalits and minorities.

On 4th December 2021 All Karnataka United Christian Forum for Human Rights had given a call for a peace gathering against the proposed anti-conversion bill at St. Francis Xavier Cathedral Ground. Smt. Margaret Alva, the former governor of Rajasthan spoke. Many people, predominantly from Christian community and from many civil society organizations and students participated and registered their protest.⁷²

Rev. Peter Machado, Archbishop of Bangalore, after coming to know about the survey of churches has expressed his concerns on various platforms. He opposed the survey and called it a dangerous step as it could become a tool to target the pastors and faithful. He also expressed his concern that some people are trying to malign the image of the community. The Archbishop reminded the state and elected representatives that the Constitution guarantees the right to profess, propagate and practice any religion. The Archbishop on several occasions appeared on national television and in the print media and opposed the anti-conversion bill. The Bishops of Karnataka on 24 September 2021 met the Chief Minister Bommai and raised their concerns over the bill. It is the resilience shown by the community reinvigorates our hope in the promise of the constitution.

It is worth noting the last attempt to bring in anti-conversion law in the Dravidian part of the country was by Jayalalitha in 2002. The AIADMK led government brought in The Tamil Nadu Prohibition of Forcible Conversion of Religion Act in 2002.⁷³ Facing severe backlash from the Christian community as well as the people of Tamil Nadu,⁷⁴ the Tamil Nadu Government was forced to repeal the Act in 2006.⁷⁵ Undeniably, AIADMK faced significant electoral losses that brought them back to the reality that the Dravidian people will not accept this narrative of “forced conversion” and will not allow the State to criminalise the practise of faith.

Akin to the mass agitation in Tamil Nadu, people of Karnataka must join hands with the Christian community to fight against the persecution of the Christians as well as the possible anti conversion bill.

As we write this report one more attack has surfaced in Belagavi. On 11th December 2021, a man entered the Church with a machete and chased the priest in-charge.⁷⁶ This incident must be seen in the light of the “friendly warning” that the Belagavi police has given to pastors to not conduct prayer meetings in rented homes. Shockingly, the police were forthcoming to state that they will not be able

⁷²<https://www.indiatoday.in/india/story/bengaluru-christians-oppose-proposed-anti-conversion-bill-hold-peace-assembly-1884427-2021-12-05>

⁷³ https://lawsofindia.blinkvisa.com/pdf/tamil_nadu/2002/2002TN56.pdf

⁷⁴<https://www.baptistpress.com/resource-library/news/anti-conversion-law-repeal-announced-in-indian-state/>

⁷⁵ https://cms.tn.gov.in/sites/default/files/acts/ACT_10to12_131_07JUN06_0.pdf

⁷⁶ <https://www.ndtv.com/india-news/on-camera-man-armed-with-machete-enters-karnataka-church-chases-priest-2647387>

to provide protection to the Christian community in case of untoward incidents. And so, they must lie low.⁷⁷ On 12th December 2021, Christian religious books were burnt in Kolar by Hindutva Groups.⁷⁸ With the winter assembly session in Belagavi starting from the 13th of December 2021, one must demand for a discussion on police accountability in the State, initiation of strict action against vigilantes, in the interest of ensuring justice for the Christian communities across Karnataka. As a part of the demand of ensuring justice for Christians, the possibility of anti-Conversion Bill must be resisted as the Bill can only legitimise such violence on the minority community

We are at a point in time that as responsible citizens, silence will cost us the remains of our secular democracy. To protect our constitutional values of equality, dignity, fraternity, we must ask these questions to our fellow citizens, our media, our judiciary, our legislature and our government:

1. Why am I as an individual concerned with another person's faith?
2. How can anybody but I decide what religion and faith I practice?
3. What authority do the Hindutva mobs have to decide what is forced conversion and what is one's choice of religion?
4. In a rule of law society, can a person commit offences of criminal intimidation, grievous hurt and sexual assault, as if accusing a person of conversion legitimizes these offences ?

State:

1. What has the State done about any of these 39 hate crimes against Christians?
2. What role does the State have in controlling the religion/faith of an individual?
3. Why is the State thinking of bringing an anti-conversion bill when the current Freedom of Religion Acts have very few people who are convicted under them?
4. Why is the State interfering in an individual's faith against the mandate of the Constitution?
5. Why are the police taking law into their own hands and increasing the vulnerability of Christians to hate crimes?
6. Why does the State want to deny it's citizens their fundamental right to practise religion?

Media:

1. Which channels have covered any of the 39 incidents of hate crimes against Christians?

⁷⁷ <https://www.thenewsminute.com/article/belagavi-cops-tell-christians-avoid-prayer-meets-if-they-dont-want-rw-attacks-158053>

⁷⁸<https://indianexpress.com/article/cities/bangalore/karnataka-right-wing-groups-attack-christians-set-religious-books-on-fire-7669416/>

2. What gives the channels the power to enter into people's homes and treat them as criminals for practising their religion?
3. How can channels violate our right to receive neutral, objective, impartial information as news consuming public?

Recommendations

The State government must:

1. Implement the directions issued by the Supreme Court in Tahseen S Poonawalla v Union of India [AIR 2018 SC 3354] regarding cases of mob violence and lynching strictly. This includes among others, registration of an FIR without delay, preventing harassment of family members of victims, ensuring cases of mob violence are tried by Fast Track Courts on a day-to-day basis, and holding police officials who fail their duties in preventing the violence accountable.
2. Immediately formulate the victim compensation scheme as directed in Tehseen Poonawalla under Section 357A of the CrPC for the victims of hate crimes. In the said scheme for computation of compensation, the State Governments shall give due regard to the nature of bodily injury, psychological injury and loss of earnings including loss of opportunities of employment and education and expenses incurred on account of legal and medical expenses. The said compensation scheme must also have a provision for interim relief to be paid to the victim(s) or to the next of kin of the deceased within a period of thirty days of the incident of mob violence/lynching. Tehseen Poonawala vs. Union of India [AIR 2018 SC 3354]
3. Implement the directions issued by the Supreme Court in regard to mob violence, in Kodungallur Film Society & Anr v Union of India [(2018) 10 SCC 713], pertaining to Structural and preventive measures, Remedies to minimize impending mob violence, Liability of person causing violence, Responsibility of police officials and Compensation.
4. Take immediate steps for the holistic implementation of Guidelines on Communal Harmony, 2008.
5. For every instance of vandalism of properties, especially of Prayer Halls, appoint a Claims Commissioner to assess the damage to public/private property, injury to persons, and award compensation by affixing liability on the perpetrators of the crimes and the organizers of the riots, as per the directions of the Supreme Court vide in In Re: Destruction of Public & Private Properties v State of AP and Ors [AIR 2009 SC 2266].
6. Designate a senior police officer, not below the rank of Superintendent of Police, as Nodal Officer in each district, assisted by a DSP rank officer, to (i) take measures to prevent incidents of mob violence and lynching (ii) constitute a special task force so as to procure intelligence reports about the people who are likely to commit such crimes or who are involved in spreading hate speeches, provocative statements and fake news (iii) Hold regular meetings (at least once a month) with the local intelligence units in the district along with all Station House Officers of the district so as to identify the existence of the tendencies of vigilantism, mob violence or lynching in the district (iv) take steps to prohibit instances of dissemination of offensive material through different social media platforms or any other means for inciting such tendencies. The Nodal Officer shall also make efforts to eradicate hostile environment against any community or caste which is targeted in such incidents. Tehseen Poonawala vs. Union of India [AIR 2018 SC 3354]

7. Identify Districts, Sub-Divisions and/or Villages where instances of lynching and mob violence have been reported in the recent past, say, in the last five years. Tehseen Poonawala vs. Union of India [AIR 2018 SC 3354]
8. Issue directives/advisories to the Nodal Officers of the concerned districts for ensuring that the Officer In-charge of the Police Stations of the identified areas are extra cautious if any instance of mob violence within their jurisdiction comes to their notice. Tehseen Poonawala vs. Union of India [AIR 2018 SC 3354]
9. Broadcast on radio and television and other media platforms including the official websites of the Home Department and Police of the States that lynching and mob violence of any kind shall invite serious consequence under the law. Tehseen Poonawala vs. Union of India [AIR 2018 SC 3354]
10. Set up special helplines to deal with instances of mob violence. Kodungallur Film Society and Ors. vs. Union of India (UOI) and Ors. [(2018) 10 SCC 713]

The police must:

1. The Director General of Police/the Secretary, Home Department of the concerned States shall take regular review meetings (at least once a quarter) with all the Nodal Officers and State Police Intelligence heads. The Nodal Officers shall bring to the notice of the DGP any inter-district co-ordination issues for devising a strategy to tackle lynching and mob violence related issues at the State level. Tehseen Poonawala vs. Union of India [AIR 2018 SC 3354]
2. If it comes to the notice of the local police that an incident of lynching or mob violence has taken place, the jurisdictional police station shall immediately cause to lodge an FIR, without any undue delay, under the relevant provisions of Indian Penal Code and/or other provisions of law. Tehseen Poonawala vs. Union of India [AIR 2018 SC 3354]
3. It shall be the duty of the Station House Officer, in whose police station such FIR is registered, to forthwith intimate the Nodal Officer in the district who shall, in turn, ensure that there is no further harassment of the family members of the victim(s). Tehseen Poonawala vs. Union of India [AIR 2018 SC 3354]
4. Investigation in such offences shall be personally monitored by the Nodal Officer who shall be duty bound to ensure that the investigation is carried out effectively and the charge-sheet in such cases is filed within the statutory period from the date of registration of the FIR or arrest of the Accused, as the case may be. Tehseen Poonawala vs. Union of India [AIR 2018 SC 3354]
5. Especially in cases of caste atrocities where casteist slurs are hurled, immediate FIR's under the Prevention of Atrocities Act, 1989 must be registered.
6. Wherever it is found that a police officer or an officer of the district administration has failed to comply with the aforesaid directions in order to prevent and/or investigate and/or

facilitate expeditious trial of any crime of mob violence and lynching, the same shall be considered as an act of deliberate negligence and/or misconduct for which appropriate action must be taken against him/her and not limited to departmental action under the service rules. The departmental action shall be taken to its logical conclusion preferably within six months by the authority of the first instance. Tehseen Poonawala vs. Union of India [AIR 2018 SC 3354]

7. If a call to violence results in damage to property, either directly or indirectly, and has been made through a spokesperson or through social media accounts of any group/organization(s) or by any individual, appropriate action should be taken against such person(s) including Under Sections 153A, 295A read with 298 and 425 of the Indian Penal Code, 1860. Kodungallur Film Society and Ors. vs. Union of India (UOI) and Ors. [(2018) 10 SCC 713]
8. When any act of violence results in damage to property, concerned police officials should file FIRs and complete investigation as far as possible within the statutory period and submit a report in that regard. Any failure to file FIRs and conduct investigations within the statutory period without sufficient cause should be considered as dereliction of duty on behalf of the concerned officer and can be proceeded against by way of departmental action in right earnest. Kodungallur Film Society and Ors. vs. Union of India (UOI) and Ors. [(2018) 10 SCC 713]

The members of the legislature must:

1. Oppose the tabling of the draft Anti conversion Bill in Karnataka Legislative Assembly as well as the Karnataka Legislative Council.

The members of the civil society must:

1. Extend its solidarities and equivocal support to the Christian community through legal assistance.
2. Vehemently protest against the Anti-Conversion Bill.
3. Practice associated living and form solidarities across communal and caste divides
4. Organize programmes that promote inter community interactions and thereby promote fraternal relations among various communities.
5. Educate the public on the need for intervention when acts of hate crimes occur so that their Constitutional rights are safeguarded.

The members of the media and self-regulatory bodies must:

1. Abide by the Program and Advertisement Code and Code of Ethics and Broadcasting Standards in all its reportage.

2. Stop sensationalising the myth of forced conversion.
3. Actively report on the hate crimes perpetrated against Christians so that people of Karnataka know the ground reality.
4. News Broadcasting and Digital Standards Authority as well as the District Level Monitoring Committee must promptly initiate action against news media that is in violation of the Program and Advertisement Code and Code of Ethics and Broadcasting Standards.

The State Human Rights Commission, State Minorities Commission must initiate action against the violations of human rights by Hindutva groups.

Sl. No	Date of Incident	Site of Incident	Description	FIR Details (if any) (FIR No./ Date/ Section etc.)	Links to photos, videos, documents	Violence Monitors
1	03/01/21	Koppal, Karnataka	<p>This incident took place outside of a Christian's home. A mob of 10-20 people took him outside the house near a coconut tree.</p> <p>Two pastors were beaten up. One of them was brutally assaulted and suffered from fracture on his leg. They locked up 5 Christians inside a room, took their photos and videos and asked them to say Jai Sri Ram and Jai Sevalal.</p> <p>One of the pastors was threatened to be killed if he came back to the church again.</p> <p>On January 5, at 10 AM, the pastors, some believers and their lawyer went to the police station and waited till 3 PM when the PSI came. A big mob of 200 Hindutva extremists gathered and they got the police to file a counter-complaint against the two pastors. They were granted bail eventually.</p>	<p>FIR (for) FIR no. 04/2021 Date: 04/01/2021 Sections: 507, 504, 147, 448, 143, 149, 323 and 354 of IPC Station: Koppal Rural</p>		Threat, Intimidation and Harassment, Physical Assault
2	04/01/21	Balehonnur, Chikmagalur, Karnataka	<p>On 4th January 2021, a few Christians were attacked when they were on their way to visit another Christian's house. When the group finished their prayers, they were threatened and verbally abused with casteist slurs. A FIR was registered against the perpetrators in Crime No. 0003/2021. A case was also registered against the Christians in Crime No. 0002/2021 on false allegations of conversion. They had filed for anticipatory bail and the same was rejected on 22nd January 2021.</p>	<p>FIR (for) FIR No. 0003/2021 Date: : 01/01/2021 Section: IPC 1860 (U/s- 504,307,114,34) Station : Chickmagalur Rural Circle</p> <p>FIR (against) FIR No. 0002/2021 Date: : 01/01/2021 Section: IPC 1860 (U/s- 143,147,148,324,427,149) Station : Chickmagalur Rural Circle</p>		Intimidation, Threats, and Harassment,
3	25/01/21	Pandavapura, Mandya district, Karnataka	<p>One day, two brothers were hosting a prayer meeting at church for a child's naming ceremony. They cut cake and shared these photos on Facebook. This caught the attention of some right-wing extremists in the village.</p> <p>After that on another day (January 24), Christians were attacked near their homes. Men, women and children were verbally abused and threatened by a mob from Rashtriya Swayamsevak Sangh. The extremists also called the police, who picked up some Christians and detained them. As soon as the pastor was informed of this in the evening, he went to the police station accompanied by some believers. The mob was also present there, and they continued to verbally abuse and threaten some women who were trying to stand up for themselves. They tried to file a complaint against them, but were denied the opportunity to do so. One of the women's laptops was confiscated. One of the officials said that Narayan Gowda (Minister) had already called and asked the police to keep Christians in jail. We also saw that one of the officials informed the office of the minister that the Christians have "surrendered". This was reported in the newspapers in the same way. Six people were arrested – 2 women, 2 young men who were minors, one small child and a teenager.</p> <p>Inspector Prabhakar then spoke very rudely to the pastor, "We know what to put inside the laptop that is with us. Even if there is no evidence, we know how to make the case against you very strong so the Christians will never come out of jail."</p> <p>The lawyer assigned to them by the police station also told us not to give surety, despite their own lawyer attempting to argue for bail for the Christians. The police officer took Rs. 35,000, without giving them a receipt, promising that they will make sure that they will help them instead.</p> <p>The 2 women and 2 children were granted bail. The 2 young minors were taken to Mandya's jail, where they were told that there is no place in the prison. Then they were kept in Mysore Juvenile Jail for one week until they got bail. They all immediately returned to their native home, Bellari. They had only moved to look for daily wage labour.</p>	<p>FIR (against) FIR No. 0037/2021 Date: 24/01/2021</p>		Intimidation, Threats, and Harassment, Arrest/ Detention

4	31/01/21	Harohalli, Kanakapura, Ramanagara district, Karnataka	<p>One Sunday, in a rented house that they use as a prayer hall, a pastor was leading a mass for around 60 Christians. Suddenly, six people entered and started beating up one of the pastors. They dragged him outside and despite many believers trying to stop the mob, they were violently attacking him and a few other Christians. Among the victims was the pastor's daughter who was only 14 years old. They brutally assaulted her and kicked her many times in the stomach, which left her vagina bleeding. 27 people were beaten and one of the pastors too, sustained injuries. Some believers helped in taking the other pastor and some injured believers to the hospital, while some went to the police station.</p> <p>They filed an FIR against some of the goons. But the people from the mob were also allowed to file an FIR against the pastors, under Sections 295, 295A and Section 153A.</p> <p>"We still don't know if they have been arrested. The women and children faced severe trauma from not just sustaining injuries, but from witnessing such a brutal violent assault on their place of worship." said Pastor Satish.</p>	<p>(for) FIR No. 0017/2021 Date : 31/01/2021 Section: 143,323, 354, 448, 506, 504 and 149 of IPC and section 3(1)(r) and 3(1)(s) is SC/ST Act. Station : Harohalli</p> <p>(against) FIR No. 0018/2021 Date:01/02/2021 Section: 153/A, 295, 295A Station: Harohalli</p>		Intimidation, Threats, and Harassment, Mob Violence, Damage to Property, Physical Assault, Restrictions on Religious Assembly
5	28/02/21	Chittapur, Gulbarga, Karnataka	<p>During a prayer when the pastor was visiting someone's house for a prayer meeting, a mob of 20 people came in and told us to turn off the microphone. They threatened to inflict pain and excommunicate the villagers. They broke the main gate, beat up many people while verbally abusing all of them. Women were also sexually assaulted by some of the members of the mob.</p>	<p>FIR (for) FIR NO: 0022/2021 Date: 01/03/2021 Sections: U/S- 143, 147, 148, 448, 323, 354, 295A, 427, 504, 506, 149 Station: Chittapura Circle.</p>		Intimidation, Threats, and Harassment, Restriction on Religious Assembly, Mob Violence
6	01/03/21	Bailhongal, Belgaum, Karnataka	<p>A pastor was leading a prayer to celebrate a boy's birthday with a small group of people. Suddenly 40-50 people barged in and beat up the pastor and the boy's father. The violence continued for 45 minutes until the police came. Members of the Pastors Association in Belgaum came to help admit two pastors to the hospital as they had fractures and other injuries.</p> <p>The police recorded the statements of the victims and assured that they would take action upon the perpetrators.</p>	-		Intimidation, Threats, and Harassment, Mob Violence, Physical Assault
7	02/03/21	Bengaluru, Karnataka	<p>A man who worked with Professional Courier Service for 10 to 15 years was on duty one day. With one of the parcels that he was delivering, which happened to be from Canara Bank, he also attached a pamphlet. The customer posted a photo on Facebook accusing the courier company and the delivery person of forced conversion.</p> <p>The customer raised a complaint about the tract against Canara bank, who had sent the parcel. The bank filed a complaint against the courier company, and the courier company filed a complaint against the delivery person. The police detained the man for 36 hours after which he was fired from his job without any termination letter, compensation, ESI, PF etc. He struggled to search for a job for a few weeks and now works as a cab driver.</p>	-	https://www.facebook.com/253397325221445/posts/861795227714982/	Intimidation, Threats, and Harassment, Arrest/Detention
8	03/03/21	Salagame, Hassan, Karnataka	<p>On 3rd March 2021, some religious extremists went to a pastor's house and threatened him not to conduct prayer meetings. They warned the pastor that if he did not comply, then he would be subjected to severe beatings. The pastor approached Hassan rural police for help but nothing substantial was done.</p>	-		Intimidation, Threats, and Harassment

9	14/03/21	Tipturu, Tumkur	<p>The Pastor and Christians had been praying in that venue since 14 years in a house, whose owner is a Lingayat man. He did not cause any problem initially.</p> <p>The police barged in and accused the pastors of forcibly converting. They were shouting at them continuously, and never allowed them or the believers to respond. They called 3 vans and took 29 people to the police station. They made them sit in the police station, took all of their statements in which they asked them for contact numbers, native homes, which caste they were born into.</p> <p>The police repeatedly asked the pastors how much they are paying the believers. But they kept trying to explain that if they had that kind of money, they would want to build their own place of worship.</p> <p>The pastors said they are not changing names of people or forcibly converting anyone. They explained that they are not doing anything wrong and only want to come together to pray.</p> <p>PSI Manojaya warned them to not do prayers in houses anymore.</p> <p>RSS leaders of Tipturu came to the police station and spoke very badly with women and others. Children were also taken with parents to the police station. The RSS mob kept bombarding them with questions and spoke in very vulgar language - "Why are you coming? Are you not born as Hindus? Who is paying all of you? Are they giving you food, shelter or motorbikes? Why are you all converting?"</p> <p>Now, prayers are not allowed in their usual place of worship anymore. Christians are feeling very scared.</p> <p>Videos and statements circulated to whatsapp and local media which spread to the local schools as well. Landowners are not giving homes to many of the Christians.</p> <p>Very few Christians (only those who have churches to go to) go for prayer but the pastor mostly visits some families personally. Situation in Tipturu is extremely critical.</p>	-	Intimidation, Threats, and Harassment, Arrest/ Detention
10	18/03/21	No. 15th, 18th Cross, kanka Nagar, R.T. Nagar, D J halli police Station, Bengaluru 560032	<p>The pastor was leading a Sunday prayer one evening on a Thursday, when a man who lives in our street entered the church with two other men. He started hurling abuses at the pastor and his wife, and started shouting, "We will burn you!"</p> <p>One of the church members stepped forward and tried to console him. The pastor also hugged the man and asked him what the problem is. Very soon, a group had started to assemble outside. It seemed as if this was a planned attack on us. The Christians got very scared because the group also started shouting vulgar abuses, threatening to burn down the church. They broke some of the furniture and threatened the believers.</p> <p>The pastor went to the police station to register an FIR but they said the system was not working. He still insisted that they file a complaint but they asked him to come the next day. On the next day, he reached the police station early with a lawyer. But they allowed the other party to register the case against the Christians before they even heard them out. Even though he had a lawyer also speak on behalf of them.</p> <p>"Why were they partial? Why were denied our chance to file our FIR on the spot?"</p> <p>The incident has left a lot of believers in deep anxiety and fear. They threatened my wife and my child. We are not allowed to pray in that hall anymore and had to find another place. There were so many women and children in the prayer hall, who feel especially vulnerable now." said the pastor.</p> <p>https://drive.google.com/drive/folders/1HzrUbgldQu7lbOksLj3PmpJ8lzTxDa6?usp=sharing</p>	-	Intimidation, Threats, and Harassment, Restrictions on Religious Assembly

11	18/03/21	Jeevavimanagar a, Tarikere, Chikkamagaluru district, Karnataka	On 18th March 2021, a pastor from Chikkamagaluru district, Karnataka was taken into custody. The local police had received a complaint from one Mr Murugan who alleged that that his wife was converted by Christians. The complainant also had informed some religious extremists to come to the police station.	-		Intimidation, Threats, and Harassment, Arrest/ Detention
12	28/03/21	Sorabha taluk, Shimoga, Karnataka	<p>Banjara Nigama groups celebrate Dussehra annually in a grand way. They had ostracised a pastor from the village 5 years ago, after which he had stopped conducting prayers in that village. However he still owned his residential property.</p> <p>One day in March, a mob of 16 people from this group brought their flags to his house, barged in and accused him of converting people. They forced him to join his hands, physically and verbally assaulted him and his wife. They took both of them to the community hall and called the Panchayat members. They denied the accusations and said that they believe in their god, and anyone else can believe in theirs.</p> <p>They filed a complaint in the police station and threatened the pastor that reservation and caste certificate of all Christians will be taken away. They organised protests all over shimoga and once in Bangalore also. Most people have left the church because they are scared of losing their reservation. Now they are conducting prayer meetings a little further away.</p>	<p>FIR (for)</p> <p>FIR No: 0033/2021</p> <p>Section IPC 1860 (U/s- 323,324,354,506,34 (against)</p>		Intimidation, Threats, and Harassment, Physical Assault
13	31/03/21	Bagepalli taluk, Chikkaballapur district, Karnataka	One pastor was told by a panchayat member not to do prayer meetings. He filed a complaint against him. The police warned Panchayat to not to disturb and assured that the Christians can continue prayers.	-		Intimidation, Threats, and Harassment, Physical Assault
14	04/04/21	Distt- Davanagere Karnantaka.	On 4th April 2021,when a pastor was conducting his weekly church service, a mob of religious extremists barged into the hall and abused and threatened the Christians. The extremists also accused the Christians of religious conversion. The pastor was also asked to report to the local police station, where he was informed by the police that he is not permitted to conduct religious gatherings in a rented hall.	<p>FIR No. 0040/2021</p> <p>Date: 06/04/2021</p>	<p>https://m.dailyhunt.in/buzz/video/kannada/misc/daavanagereyalli+munduva+ridha+mataantara+chatuvati+ke+paravaanagi+illade+nade+yuttide+praarthana+mandira-b23843702?s=a&uu=0x8ddb566e71999dc4&ss=wsp</p> <p>https://drive.google.com/drive/folders/1T1WGiHp1YlpQ3SEdlrm8W-J3oaDEw1Q?usp=sharing</p>	Intimidation, Threats, and Harassment, Mob Violence, Restrictions on Religious Assembly
15	05/04/21	# 460 Near Doddannavar High School, Darga Road Halaga, Belgaum, Karnataka. Pin Code: 590003	<p>On the night after Easter, the pastor was with his wife and three children when his wife started having chest pain. When he called their family doctor, who asked them to come on Monday afternoon. They first went to his sister-in-law's house to rest until they could see the doctor. Around 11:30, a mob of 60 people were waiting outside.</p> <p>They dragged the pastor outside and were shouting at him, demanding to know whom he came to convert to Christianity. He tried to respond to them but they were not willing to listen. He tried to tell them that he was not even visiting for any prayer. Soon, their verbal abuse escalated, and before he knew it, they threatened to kill him. They said that he has to tell all the believers to stop coming to church. They dragged him to the main road and at least 30 people from the mob beat him a lot. They pushed his wife aside repeatedly when she came to help him. His children watched in horror as they kept yelling, "Let's kill him now!"</p> <p>They paraded the pastor on the road and hit him on the head with stones. They forced Kumkum on his forehead, and on his wife's forehead. When they went to the police station, they turned them away and told them that he needs to get a Medico-Legal Case from the hospital before he can file a complaint.</p> <p>"I was severely injured. My ears were bleeding and I could not hear properly for a month. The pain in my inner ear was unbearable and it still hurts till date.", said the pastor.</p>	<p>FIR No. 0020/2021</p> <p>Date : 06/04/2021</p> <p>Section IPC (U/s- 143,147,323,341,504,506,149</p> <p>Station : Shahaapura</p>		Intimidation, Threats, and Harassment, Physical Assault

16	11/05/21	Kolhar Taluk, Rolli Tanda, Vijayapura District, Karnataka	<p>On 11th May 2021 at around 7pm, a pastor and few of his church members were physically assaulted with rods and sticks by some members of the religious Banjara community. This had happened because the Christians had buried someone, and had not follow the traditional way of cremation.</p> <p>The Christians had earlier approached the Banjara community to bury the dead. But upon refusal from the Banjara community, the Christians had decided to bury the dead in their own land.</p>	-		Intimidation, Threats, and Harassment, Physical Assault
17	02/07/21	Sorabha taluk, Shimoga, Karnataka	<p>On 2nd July 2021, a few pastors were travelling in 2 cars, they were harassed and abused by 70 to 80 people. They were hitting the car with rods and sticks. They verbally abused them and accused them of forceful conversion. As they reached the village, more people gathered and tried to harass the team of pastors. The police arrived and dispersed the crowd.</p>	-		Threat, Intimidation and Harrasment
18	14/07/21	Kanakapura Taluk, Ramanagara district, Karnataka	<p>On 14th July 2021, it was informed that a pastor was conducting a prayer meeting in a church member's house when some religious extremists from Bajrang Dal gathered to stop the prayer.</p> <p>The local SI was doing rounds in the locality and heard the commotion and came to the spot and spoke to the Christians and ascertained that the Pastor was invited to the house. The Police officials warned the religious extremists to not interfere.</p>	-		Intimidation, Threats, and Harassment, Restrictions on Religious Assembly
19	29/07/21	Doddassala - Kolar - Karnataka	<p>On 29th July 2021, a pastor and his wife were visiting a Christian family home for prayer in Kolar, Karnataka. On the main road, they were targeted by a religious extremist named Chandrashekar and a few other goons. The extremists threatened and physically assaulted the pastors. A passerby helped them to go the hospital, as the pastor suffered from a fracture in the skull. Subsequently the Police was informed of the incident, who registered an NCR. The Police called both the parties to the station and warned the perpetrators. The perpetrators apologised to the pastor.</p>	-	https://drive.google.com/drive/folders/1-9WxW3k4aD2YsxEk_O7VHCx1bo4fhr1j?usp=sharing	Intimidation, Threats, and Harassment, Physical Assault
20	23/08/21	Gauribidanur taluk, Chikballapur district, Karnataka	<p>On 23rd August 2021, the former president of a political party organized a special puja and event to reconvert 10 Christian families to Hinduism. He also said that the Christians are alluring innocent people and getting them converted to Christianity which must be stopped.</p>	-	https://youtu.be/uiFHQpQg9u8	Intimidation, Threats, and Harassment, Restrictions on Religious Assembly
21	05/09/21	Yelahanka taluk, Bengaluru, Karnatka	<p>On 5th September 2021, when a pastor was leading a church service, some religious extremists from Hindu Jagrana Vedika, barged in and stopped the church service. They threatened and warned the Pastor from conducting any religious gathering.</p>	-		Intimidation, Threats, and Harassment, Restrictions on Religious Assembly
22	14/09/21	Tumkur, Karnataka	<p>On 14th September 2021, a Christian man in Tumkur was detained by the local police at Chelur police station. He was interrogated by the police about his faith and his activities in the community.</p>	-		Intimidation, Threats, and Harassment.

23	10/09/21	Nitte Village, Karkala Taluk, Udupi District, Karnataka	<p>I was conducting a prayer meeting in our village one day, in a venue called D'Souza Complex. We have been using the same venue since March, 2011. In September, there was weekend curfew, owing to COVID protocols. So instead of praying on Sunday, I organised a prayer on Friday morning at a different prayer hall since D'Souza Complex was not available.</p> <p>Within 15 minutes of praying, 25-30 men barged in caused a huge commotion by shouting and beating up people. Many of our believers sustained bruises and injuries from this violence. Two people's clothes were torn including a woman's blouse.</p> <p>Soon after, the police entered the prayer hall and asked, "Why are you praying on Ganesh Chathurthi?"</p> <p>I tried to explain that our prayer hall since 10 years was suddenly unavailable, and there is a weekend curfew that will not allow us to have our prayer on Sunday.</p> <p>I went to the police station to lodge a complaint against the miscreants and to my shock, there was already an FIR lodged against me under 295A by someone named Sunil, whom I remember meeting two years ago.</p> <p>I continued to insist that they file a complaint against the violent extremists. I informed them that even a woman was attacked during this violence, whose blouse was torn. She also wanted to file a separate complaint but the police said that all the information can be in the same complaint.</p> <p>They said that they have registered my complaint, but refused to give me any acknowledgement or document confirming the same. They asked the woman to bring the torn part of the blouse, and when she did, the police official said, "How do we know you have not cut this with scissors?"</p> <p>For two weeks after that, prayers completely stopped. The police told us, "There will be a law and order problem, so it is better if we don't do prayer meetings at all. We cannot protect you if you still decide to do it."</p> <p>Because of visits from police officials, my landlord told me to vacate the house I was living in, and gave me a month to find a new house. I finally found a house after two weeks, and was beginning to shift my belongings.</p> <p>One day, when I was in the police station for the purpose of the inquiry, the police officer asked, "Where do you live now?"</p> <p>"I found a new house, sir."</p> <p>"Do you have a rent agreement?"</p> <p>I said yes and agreed to send them a copy. They called my new landlord and told him to evict me as soon as possible.</p> <p>Now I live 37 kilometres away and it has been four days since I live in my new house.</p>	<p>FIR (against) FIR no. 90/2021 Sections: 295A IPC,298 IPC Date: 30-07-2021</p> <p>FIR (against) FIR no. 111/2021 Sections: 295A IPC, 298 IPC Date: 10-09-2021</p> <p>FIR (for) : 110/2021 Date: 10/09/2021 Sections: IPC 506,504, 143, 147, 149, 448, 323, 354</p>		Intimidation, Threats, and Harassment, Mob Violence, Restrictions on Religious Assembly, Physical Assault
24	20/09/21	Talguppa village, Shimoga District, Karnatka	<p>Jyothi who was working in Talguppa railway station, found a lost bag which belongs to another lady named Grace and asked for a pastor's help to trace the owner of the bag. They talked over a period of time on the phone for the same. Subsequently, one day she called him to her house and shared her problems and requested him to pray for her.</p> <p>The Pastor shared the gospel with her and gifted her a Bible. However, as he was about to leave the house, an extremist group barged in and took him to the police station. Jyothi filed a false case against the Pastor,pursuant to which he was arrested under sections 295A, 298 IPC.</p>	<p>FIR (against) - 0250/2021 Sections: 295(a), 298 & 34 Date: 20/9/2021</p>	<p>https://drive.google.com/drive/folders/1SvhQU5EKKpRhymy4-LjuuYngbg7w0G6C?usp=sharing</p>	Intimidation, Threats, and Harassment, Arrest/ Detention

25	22/09/21	Hassan	On 22nd September 2021, a woman from Hassan district, Karnataka was distributing tracts in a park when some religious extremists questioned her and took her to the city police station. The religious extremists alleged that the victim is involved in religious conversion through allurements. Subsequently, a case was filed against her u/s 295(A) IPC.	-	https://fb.watch/9FYGCsnij4/ https://fb.watch/9F_1ZMVLOG/	Intimidation, Threats, and Harassment
26	19/09/21	Yadgir	<p>The pastor was organising weekly prayers for 8 months in the same prayer hall for 15 believers. One such Sunday, 200 people came to the prayer hall and started raising slogans against Christianity. A Panchayat member by the name, Narsappa and many people from the village joined the crowd and started exerting pressure on the believers to not go to church anymore. They spoke in abusive language against the pastor.</p> <p>Within five minutes of the mob's verbal abuse and shouting, the police came. Perhaps they were nearby because they knew that this was happening. The police detained 4 Christians at the station till 8 PM before giving any information. They filed a complaint against the pastor, a woman, her husband and their son under 295A, but refused to file their complaint against the Hindutva mob that was abusing them verbally.</p> <p>Their lawyer came to the police station at 5 PM but the police refused to file their complaint even after he spoke to them. Police officials told them Sub-Inspector has instructed them to not file any complaint on behalf of Christians. They were in jail for 3 days.</p> <p>Now, prayers have completely stopped and the believers from that village are no longer coming to church. They have also been facing threats from school teachers, who have said that they will expel their children from school. Ration card shops and smaller businesses have also started refusing to sell to Christian customers.</p>	-	https://drive.google.com/drive/folders/1tZn72UW/ww1F9E9gX0p-zYJRiyFawovA?usp=sharing	Intimidation, Threats, and Harassment, Arrest/ Detention
27	26/09/21	Sakleshpur, Hassan, Karnataka	<p>When church was ending, 2 people (Deepak and Shiva) from a bigger mob waiting behind them, barged in and started asking all the believers using abusive vulgar language - to show their aadhar card, which caste they were born into, how much they are being paid to come to church, and if the pastors are forcibly converting them. They started verbally abusing two women using vulgar and sexual language, and the two women also responded to them strongly. As soon they made a call, the police entered and the SI, constable and driver started scolding us and spoke to the women very abusively. They told the pastors to come to the police station that evening.</p> <p>One of the policemen was taking video of everything and demanded for the church documents. The pastors said that they will bring it with them when they come to the station in the evening. They said that a big mob is waiting outside and in order to disperse them and diffuse the situation, they will need to see the records.</p> <p>When we went to the station, there was already an FIR against us. The police took our statements. We filed a complaint from one of the women, and from me- not an FIR, but for protection.</p>	-	https://drive.google.com/drive/folders/1slqtYJ_PKU_sPmftjDPHAGX5IZsaGs92?usp=sharing	Intimidation, Threats, and Harassment.

28	26/09/21	Byadarahalli PS, Bengaluru, Karnataka	<p>On a Sunday in September 2021, in a small prayer hall in Byadarahalli, Bengaluru, a prayer meeting began at 10 AM. He had been conducting prayer meetings every Sunday for 12 years in the same prayer hall, barring a few months during lockdowns owing to the COVID pandemic.</p> <p>After an hour, a group of 10 people wearing saffron scarves, led by a man called Puneeth Kerahalli, barged into the prayer hall. The group was taking videos on their phone and shouting at the believers and the pastors using abusive language. Some of them are active workers of the RSS.</p> <p>They demanded, "Show us the permission you got for conducting such prayer meetings? Who allowed you to use a speaker?"</p> <p>They shot more videos of the believers while forcing them to answer, "Tell us your name and your caste! Which family were you born into? Where is your native home?"</p> <p>The believers tried to explain that they believe in Christ. However, noticing that their names were still Hindu names, the mob started announcing in their video, "See these Hindus being forced to convert to Christianity! Pastors and churches are heavily funded by international Christian institutions. We are here to take action!"</p> <p>The believers continued in vain, to explain that their grandparents are also Christians, and attempted to calm them down. Soon after, some of the believers joined us as we went to the Byadarahalli Police Station, when a bigger mob of 20-30 people assembled.</p> <p>Some of these people were also neighbours of the church, who spoke very angrily, "These Christians make noise every day and this is not allowing the entire street to work, sleep or study." I was very shocked to see people with whom we were interacting regularly in the town, also join this mob and fuel this fight against us.</p> <p>The pastor responded by saying that they only conduct prayer meetings on Sundays, and this has been happening for the last 12 years. He tried to explain to the crowd and some police constables, "If we were told even once that our loudspeaker is causing inconvenience to anyone else, we would not have used it. I am extremely sorry for causing disturbance in our locality."</p> <p>Puneeth and two other men from the group suddenly started telling the police that he was being forced to convert to Christianity. He showed the police some tracts about the Gospel. The pastor told the police that he has never seen this person.</p> <p>Another man introduced himself as a devotee of Anjaneyya and accused me of abusing Hindu gods. He immediately responded that neither he nor any other pastor that he knows of, can do this. He told the police that they are making up these stories.</p> <p>Finally, the police tried to disperse the crowd in vain. One official asked the Christians to pay a fine for violating COVID protocols during the prayer meeting. So we paid the fine and returned to our homes.</p> <p>Over the next two days, this group kept protesting in front of the police station and the BBMP office. The police visited all households of Christians and conducted a detailed inquiry into whether we are forcibly converting them or not.</p> <p>Within a few days, they received a notice from BBMP saying that the church will not be allowed to continue prayers anymore. There was a second round of inquiries by the police when they took statements from Christians in the town, about whether the pastors are paying them money to convert to Christianity.</p> <p>After a few days, there was a new Police Inspector, who assisted them in resuming prayer meetings and assured them that they should continue without fear. He asked the pastors to also respond to BBMP in writing, requesting them to give them permission.</p>	<p>-</p> <p>https://drive.google.com/drive/folders/1ZnBMeGVE21h2THAPS5XkKQIFJwF12fk?usp=sharing</p>	Intimidation, Threats, and Harassment.
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29	03/10/21	Kandwar, Chikkaballapur, Karnataka	On 03rd October 2021, a pastor in Chikkaballapur district, Karnataka was locked inside the church by a group of religious extremists group while conducting a prayer service. Later on, extremists called the police, who detained the pastor without any inquiry. An FIR under Section 295A IPC has been charged against him.	FIR (against)- 0075/2021 Date - 3/10/2021 295 A IPC	https://drive.google.com/drive/folders/1TWtacmje3GICDkL4FTfyw7vpw1k18vOY?usp=sharing	Intimidation, Threats, and Harassment, Restriction to Religious Assembly
30	03/10/21	Nagamangla, Mandya, Karnataka	On 3rd October 2021, a pastor was conducting a prayer service in the church, when they were disturbed by the Police Inspector of the area and detained the pastor for not following COVID protocol and for not having proper documents for the church building. The victim was released in the evening after a warning to not open the church for prayer services. The Tehsildar was approached with the application for granting permission to open the church from where he was sent to the District collector where the application is pending. When we called the circle police inspector, he went to his house and ask for forgiveness from Pastor and asked him to continue prayer meetings.	-		Restriction to Religious Assembly
31	03/10/21	Somawarsante, Kodagu, Karnataka	On 3rd October 2021, a pastor was running a church service with around 20 members, when they were disrupted by the police and were asked to show the permission letter for conducting a prayer service in the house. There is an FIR against him and the police refused to take their complaint so they met the SP. Police arrested the pastor and lodged FIR against him, his wife and daughter.	-		Restriction to Religious Assembly
32	04/10/21	Hutenhalli, Mysore, Karnataka	On 4th October 2021, a pastor in Mysore District, Karnataka was attacked by the extremist group and sustained injuries on his face and head.	-		Intimidation, Threats, and Harassment, Physical Assault
33	04/10/21	Mundawada, Karwar, Karnataka	In this village in Karwar, there are around 3 to 4 Christian households. One day, the Panchayat called for the 4 Christian households of the village. Out of the four, two families went to the panchayat. They were asked many personal and private questions about their faith and whether it was their choice or not. Two households were brutally harassed and sustained injuries from physical assault. The police arrived shortly thereafter and forced the Panchayat members and others in the village to leave the Christians alone. This was their idea of a "compromise". They took statements from the villagers as well as the Christians. The pastors filed a complaint against some Panchayat leaders and others who abused the Christians. But the police of that village are under strong influence of ex-MLA and current BJP member, Sunil Hegde. The pastors tried to assert that Christians should not be prevented from going to prayer meetings. All the four families continue to face threats of social boycott and excommunication. People in the village are ensuring that they do not get any employment or any commodities from any shop. Two of the families have suffered loss of livelihoods. In this village, Bharatiya Janata Party, Rashtriya Swayam Sevak Sangh and Hindu Jagrana Vedike are very active. "These Christians have voluntarily accepted this faith and respect the value of fraternity. But they are not allowed to even survive here." said the pastor.	-		Intimidation, Threats, Physical Assault, Harassment

34	10/10/21	Soladevanahalli police station, Soladevanahalli, Bangalore, Karnataka	<p>A pastor was conducting a prayer service on one Sunday in October. Suddenly, four people entered the room and started yelling at the pastor. Then 40 people barged in began fighting with him. They asked the pastor to step outside and then verbally abused him a lot. They accused him of forcibly converting Hindus to Christianity.</p> <p>One of the things that they were furious about was that their church could be easily located on Google Maps. They said that this is unacceptable and the church should be found on Google Maps.</p> <p>In a few moments, the police arrived and took everyone to the police station. The Sub-Inspector tried to diffuse the situation. But what was shocking is that he asked a series of questions to the believers about their personal details. "Which caste were you born into? Where is your native home? Why are you going to church? Who is paying you to go to church?"</p> <p>They also asked for the pastor's ID, appointment letter, documents and registration records of the church.</p> <p>Prayers have completely stopped now.</p>	-		Intimidation, Restriction to Religious Assembly
35	10/10/21	Udupi, Karnataka	<p>On 10th October 2021, when a pastor was conducting his Sunday worship, he was disrupted by the police on false charges of religious conversion filed by the religious extremists.</p> <p>The police detained him, a woman and two other Christians and an FIR was filed against them under section 295 A IPC.</p>	-	https://drive.google.com/drive/folders/1HPAteqBSOaHNlegDaiF5AOYDPvIX8CO-?usp=sharing	Intimidation, Harassment
36	10/10/21	Haliyal, Uttar Kannad, Karnataka	<p>On 10th September 2021, when a pastor was conducting his Sunday worship in a rented house, a religious extremist group barged in and disrupted their service, accusing them of religious conversion and verbally abusing the Christians in the house.</p> <p>The mob called the police from Haliyal police station who arrived and informed the Christians that only family members are allowed to pray in the house.</p> <p>When people were leaving the church, they were being stopped and recorded on camera while being asked their name and personal details.</p> <p>We filed an FIR against 6 people. They filed a counter FIR against 5 people. The Christians have stopped praying.</p>	-		Intimidation, Harassment

37	17/10/21	Hubbali, Karnataka	<p>When the Christians started the prayer meeting, there were already some people wearing saffron scarves sitting inside the church. During the prayer, they suddenly started chanting bhajans and slogans like Jai Shri Ram. This group of people who were from Bajrang Dal and Vishwa Hindu Parishad, soon started shouting at the pastor and accusing him for forcing someone called Vishwanath to convert to Christianity.</p> <p>They started beating up the believers and some of them started assaulting the pastor. He sustained many severe injuries.</p> <p>After the believers and the pastor were dragged to the police station, a bigger mob of about 100 people gathered. The police could not do much because the mob was growing in numbers and were becoming very violent. They kept some of them in the police station and lodged an FIR against them. Seven people were taken in an ambulance to the hospital, after which the hospital issued a report saying that they only had minor bruises and no fractures. The police arrested some of them and they were kept in jail for 11 days.</p> <p>Now, they are no longer praying together in the church.</p> <p>"Christians are facing threats on a regular basis from neighbours and others in the town. Not just me, but so many of our believers are also being told to vacate their houses by their landlords and house-owners. The same mob from Bajrang Dal and Vishwa Hindu Parishad are spreading vicious rumours in attempts to get Christians terminated from their jobs, and to make it difficult for them to apply for new ones. Christians in our locality are very scared and many are slowly trying to return to pray on Sundays.</p> <p>Even recalling the psychological torture that I had to undergo for eleven days, the physical and emotional pain we all had to suffer – is very anxiety inducing and it has become very difficult for me to retell this story.", said the pastor.</p>	<p>FIR (for) FIR No - 0092/2021 Date: 19/10/2021 Sections: 504,143,147,149,153,295A, 298,353 IPC 1860 Station: APMC NAVANAGAR</p> <p>FIR (against) - copy awaited</p>	<p>https://www.ndtv.com/karnataka-news/karnataka-hubbali-bajrang-dal-vishwa-hindu-parishad-activists-sing-bhajans-at-church-as-protest-2579526</p>	Physical Assault, Intimidation, Restriction to Religious Assembly, Threats
38	17/10/21	Arasikere, Hubaalli, Karnataka	During a prayer meeting, two people called pastor santosh and father outside. They beat them up accusing them of conversion. He was admitted to the hospital, and then took the MLC to the police station, where the police filed an NCR.	-		Physical Assault, Intimidation
39	14/11/2021	Chitradurga, Karnataka	On 14th Nov, Pastor Abhrahm was doing prayer meeting of 50 believers inside a rented house in Malur. A mob of 30 people - belonging to RSS. Came inside and started shouting slogans of Jai shri Ram. They were loud and using verbal abuses Within 15 minutes the police came. And took the pastor to the police station. They released him in about three hours.	<p>FIR No. 0497/2021 Date: 14/11/2021</p>	<p>https://www.youtube.com/watch?v=HihNV4T7hAk</p> <p>https://drive.google.com/drive/folders/1HPAteqBSOaHNlegDaIF5AOYDPvIX8CO?usp=sharing</p>	Intimidation, Threats

Annexure B

Notice from the BBMP



ಬೃಹತ್ ಬೆಂಗಳೂರು ಮಹಾನಗರ ಪಾಲಿಕೆ

ಸಹಾಯಕ ಕಾರ್ಯಪಾಲಕ ಅಭಿಯಂತರರ ಕಛೇರಿ,
ಹೇರೋಹಳ್ಳಿ ಉಪ ವಿಭಾಗ, ರಾ.ರಾ.ನಗರ ವಲಯ,
ಬೆಂಗಳೂರು.

ಸಂಖ್ಯೆ:ಸಕಾಅ: ಹೇ.ಉ.ವಿ.ಪಿ.ಆರ್: :2021-22,

ದಿನಾಂಕ: 28/09/2021

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ತಿಳುವಳಿಕೆ ಪತ್ರ

ಈ ಮೂಲಕ ತಮ್ಮಲ್ಲಿ ತಿಳಿಯಪಡಿಸುವುದೇನೆಂದರೆ, ವಾರ್ಡ್ ಸಂಖ್ಯೆ 72ರ ವ್ಯಾಪ್ತಿಯಲ್ಲಿ ಬರುವ ಪ್ರಕೃತಿನಗರದಲ್ಲಿ ಕೋವಿಡ್-19 ನಿಯಮಗಳನ್ನು ಉಲ್ಲಂಘಿಸಿ, ತಾವು ಕಾನೂನು ಬಾಹಿರವಾಗಿ, ಯಾವುದೇ ಪೂರ್ವಾನುಮತಿ ಪಡೆಯದೇ ಸಭೆ ಸಮಾರಂಭಗಳನ್ನು ಹಾಗೂ ಪ್ರಾರ್ಥನೆ ಮಾಡುತ್ತಿರುವ ಬಗ್ಗೆ ಸಾರ್ವಜನಿಕರಿಂದ ದೂರುಗಳು ಬಂದಿದ್ದು, ಇದು ಕಾನೂನು ಬಾಹಿರವಾಗಿರುತ್ತದೆ. ಆದ್ದರಿಂದ ತಾವು ಈ ಕೂಡಲೇ ಸ್ಥಗಿತಗೊಳಿಸುವುದು. ತಪ್ಪಿದ್ದಲ್ಲಿ ತಮ್ಮ ಮೇಲೆ ಸೂಕ್ತ ಕಾನೂನು ಕ್ರಮ ಜರುಗಿಸಲಾಗುವುದು.

ಸಹಾಯಕ ಕಾರ್ಯಪಾಲಕ ಅಭಿಯಂತರರು
ಹೇರೋಹಳ್ಳಿ ಉಪ ವಿಭಾಗ, ರಾ.ರಾ.ನಗರ ವಲಯ
ಬೃಹತ್ ಬೆಂಗಳೂರು ಮಹಾನಗರ ಪಾಲಿಕೆ

ರವರಿಗೆ,

- 1) ವೃತ್ತಾಂತ ಸಂಖ್ಯೆ 709
- 2) ಸಿ.ಬಿ.ಎಲ್.ಆರ್.ಎಸ್
- 3) 2ನೇ ಹಂತ ಹೇರೋಹಳ್ಳಿ
ಬೆಂಗಳೂರು