

# INDIA 2020 INTERNATIONAL RELIGIOUS FREEDOM REPORT

## Executive Summary

The constitution provides for freedom of conscience and the right of all individuals to freely profess, practice, and propagate religion; mandates a secular state; requires the state to treat all religions impartially; and prohibits discrimination based on religion. It also states that citizens must practice their faith in a way that does not adversely affect public order, morality, or health. Ten of the 28 states have laws restricting religious conversions. In February, continued protests related to the 2019 Citizenship Amendment Act (CAA), which excludes Muslims from expedited naturalization provisions granted to migrants of other faiths, became violent in New Delhi after counterprotestors attacked demonstrators. According to reports, religiously motivated attacks resulted in the deaths of 53 persons, most of whom were Muslim, and two security officials. According to international nongovernmental organization (NGO) Human Rights Watch, “Witnesses accounts and video evidence showed police complicity in the violence.” Muslim academics, human rights activists, former police officers, and journalists alleged anti-Muslim bias in the investigation of the riots by New Delhi police. The investigations were still ongoing at year’s end, with the New Delhi police stating it arrested almost equal numbers of Hindus and Muslims. The government and media initially attributed some of the spread of COVID-19 in the country to a conference held in New Delhi in March by the Islamic Tablighi Jamaat organization after media reported that six of the conference’s attendees tested positive for the virus. The Ministry of Home Affairs initially claimed a majority of the country’s early COVID-19 cases were linked to that event. Some members of the ruling Bharatiya Janata Party (BJP) said conference attendees spread COVID-19 “like terrorism,” which politicians and some media outlets described as “Corona Jihad.” Courts across the country dismissed numerous charges filed against Tablighi Jamaat members. Two Christians died in June after being beaten while in police custody for violating the COVID-19 curfews in Tamil Nadu. NGOs reported that nine police officers involved in the incident were charged with murder and destruction of evidence. In June, more than 200 Muslim residents of a village in Uttar Pradesh said they were leaving their homes because of intimidation by state police officials. There were reports by NGOs that the government sometimes failed to prevent or stop attacks on religious minorities. Political party leaders made inflammatory public remarks or social media posts about religious minorities. Attacks on members of religious minority communities, based on allegations of cow slaughter or trade in beef, occurred throughout the year. Such “cow vigilantism” included killings, assaults, and intimidation. Uttar Pradesh police filed charges in 1,716

cases of cow slaughter and made more than 4,000 arrests under the Prevention of Cow Slaughter Act as of August. In October, the Allahabad High Court in Uttar Pradesh ruled that the state Prevention of Cow Slaughter Act “was being misused against innocent persons” and granted bail to a Muslim individual arrested under the act. NGOs, including faith-based organizations, criticized amendments passed in September to the Foreign Contributions Regulation Act (FCRA) as constraining civil society by reducing the amount of foreign funding that NGOs, including religious organizations, could use for administrative purposes and adding onerous oversight and certification requirements. The government said the law strengthened oversight and accountability of foreign NGO funding in the country. In February, the government cancelled the FCRA licenses of five Christian-linked NGOs, cutting off their foreign funding. In September, the NGO Amnesty International India ceased operations in the country after the government froze its bank accounts in response to a FCRA investigation that the NGO says was motivated by its critical reporting against the government. In September, a special Central Bureau of Investigation (CBI) court acquitted all 32 persons, including former BJP politicians, charged in the case of the 1992 demolition of the Babri Masjid Mosque in Ayodhya, Uttar Pradesh. The CBI court ruled that the demolition of the mosque was a “spontaneous act” and there was no evidence of conspiracy.

There were reports of religiously motivated killings, assaults, riots, discrimination, vandalism, and actions restricting the right of individuals to practice and speak about their religious beliefs. In January, during anti-CAA protests in New Delhi, an armed crowd stormed a mosque, killed the muezzin, beat the imam, scattered worshippers, and set the building on fire. In September, media reported that a Hindu woman was beheaded for refusing to convert to Islam after marrying a Muslim; two Muslims were arrested for the crime. The NGO United Christian Forum’s violence monitor stated that attacks on Christians and their places of worship continued to escalate in both number and severity in 2020. The Christian NGO Persecution Relief documented 293 instances of attacks or harassment of Christians in the country in the first half of the year, despite the widespread pandemic lockdown, including six rapes and eight murders. There were 208 incidents during the same period in 2019. In its annual report, the NGO Alliance for Defense of Freedom (ADF) documented 279 instances of violence against Christians during the year, with Uttar Pradesh State reporting 70 incidents and Chhattisgarh State 66. In June, a 14-year-old boy was abducted and killed in the Malkangiri District of Odisha State. Christian organizations attributed the killing to his family’s conversion to Christianity three years earlier. Police arrested two suspects, and four remained at large at year’s end. Some Hindu leaders accused

Christian leaders of forcibly converting individuals to Christianity and called for additional anticonversion legislation.

During engagements with the majority and opposition parties, civil society representatives, religious freedom activists, and leaders of various faith communities, U.S. government officials discussed the importance of religious freedom and pluralism, the value of interfaith dialogue, the Muslim community's concerns about the CAA, and difficulties faced by faith-based and human rights-focused NGOs following the FCRA amendments and allegations that Muslims spread the COVID virus. Throughout the year, the Ambassador met with religious communities, including representatives of the Buddhist, Christian, Hindu, Jain, Jewish, Muslim, and Sikh faiths to discuss their perspectives and concerns. In May, the Ambassador organized a virtual interfaith dialogue during Ramadan in which he emphasized the U.S. government's commitment to religious freedom. In January, a senior official from the Department of State Bureau of South and Central Asian Affairs held a roundtable with civil society members in New Delhi to discuss interfaith harmony and promoting tolerance. In January, the Consul General in Hyderabad hosted an interfaith event to discuss the importance of mutual respect and combating religious intolerance.

## **Section I. Religious Demography**

The U.S. government estimates the total population at 1.3 billion (midyear 2020 estimate). According to the 2011 national census, the most recent year for which disaggregated figures are available, Hindus constitute 79.8 percent of the population, Muslims 14.2 percent, Christians 2.3 percent, and Sikhs 1.7 percent. Groups that together constitute fewer than two percent of the population include Buddhists, Jains, Zoroastrians (Parsis), Jews, and Baha'is. The Ministry of Tribal Affairs officially recognizes more than 104 million members of Scheduled Tribes – indigenous groups historically outside the caste system who often practice indigenous religious beliefs – as Hindus in government statistics, although an estimated 10 million of those listed as Scheduled Tribe members are Christians, according to the 2011 census.

According to government estimates, there are large Muslim populations in the states of Uttar Pradesh, Bihar, Maharashtra, West Bengal, Telangana, Karnataka, and Kerala. Muslims constitute 68.3 percent of the population in the Union Territory of Jammu and Kashmir, the only state or territory in which Muslims are a majority. Slightly more than 85 percent of Muslims in the country are Sunni, with the remainder mostly Shia. Christian populations are distributed throughout the

country but in greater concentrations in the northeast as well as in the states of Kerala, Tamil Nadu, and Goa. Three northeastern states have majority Christian populations: Nagaland (90 percent), Mizoram (87 percent), and Meghalaya (70 percent). Sikhs constitute 54 percent of the population of Punjab. The Dalai Lama's office estimates that there are significant resettled Tibetan Buddhist communities in Himachal Pradesh, Karnataka, Uttarakhand, and Delhi. According to the Office of the United Nations High Commissioner for Refugees and media reports, there are approximately 100,000 Tibetan Buddhists in the country. According to media reports, approximately 40,000 Muslim Rohingya refugees from Burma live in the country.

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

### **Legal Framework**

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

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

Ten of the 28 states in the country have laws restricting religious conversion: Arunachal Pradesh, Chhattisgarh, Gujarat, Himachal Pradesh, Jharkhand, Madhya Pradesh, Odisha, Rajasthan, Uttar Pradesh and Uttarakhand. Chhattisgarh, Madhya Pradesh, Uttarakhand, and Uttar Pradesh prohibit religious conversion by "force," "allurement," or "fraudulent means" and require district authorities to be informed of any intended conversions one month in advance. Himachal Pradesh and Odisha maintain similar prohibitions against conversion through "force," "inducement," or "fraud," and bar individuals from abetting such conversions.

Odisha requires individuals wishing to convert to another religion and clergy intending to officiate at a conversion ceremony to submit formal notification to the government.

Violators, including missionaries, are subject to fines and other penalties, such as prison sentences of up to three years in Chhattisgarh and up to four years in Madhya Pradesh if converts are minors, women, or members of Scheduled Castes or Scheduled Tribes. Gujarat mandates prior permission from the district magistrate for any form of conversion and punishes “forced” conversions with up to three years of imprisonment and a fine up to 50,000 rupees (\$680). In Himachal Pradesh, penalties include up to two years’ imprisonment, fines of 25,000 rupees (\$340), or both. Punishments for conversions involving minors, Scheduled Caste or Scheduled Tribe members, or in the case of Odisha, women, may include prison sentences.

Under Andhra Pradesh and Telangana law, authorities may prohibit proselytizing near places of worship. Punishment for violations may include imprisonment for up to three years and fines up to 5,000 rupees (\$68).

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

There are no requirements for registration of religious groups unless they receive foreign funding, in which case they must register under the FCRA. Federal law requires religious organizations registered under the FCRA to maintain audit reports on their accounts and a schedule of their activities and to provide these to state government officials upon request.

Organizations conducting “cultural, economic, educational, religious, or social programs” that receive foreign funding are required to obtain a license under the FCRA. The federal government may also require that licensed organizations obtain prior permission before accepting or transferring foreign funds. The central government may reject a license application or a request to transfer funds if it

judges the recipient to be acting against “harmony between religious, racial, social, linguistic, regional groups, castes, or communities.”

Legislation passed in September reduces the amount of funding that NGOs, including religious organizations, may use for administrative purposes from 50 to 20 percent and prohibits NGOs from transferring foreign funds to third parties.

The constitution states that any legal reference to Hindus is to be construed to include followers of Sikhism, Jainism, and Buddhism, meaning they are subject to laws regarding Hindus, such as the Hindu Marriage Act. Subsequent legislation continues to use the word Hindu as a category that includes Sikhs, Buddhists, Baha’is, and Jains, but it identifies the groups as separate religions whose followers are included under the legislation.

Federal law provides official minority-community status to six religious groups: Muslims, Sikhs, Christians, Parsis, Jains, and Buddhists. State governments may grant minority status under state law to religious groups that are minorities in a particular region. Members of recognized minority groups are eligible for government assistance programs. The constitution states that the government is responsible for protecting religious minorities and enabling them to preserve their culture and religious interests.

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

Interfaith couples and all couples marrying in a civil ceremony are generally required to provide public notice 30 days in advance – including addresses, photographs, and religious affiliation – for public comment, although this requirement varies across states. Hindus, Muslims, Buddhists, Sikhs, or Jains who marry outside their religions face the possibility of losing their property inheritance rights under those communities’ personal status laws.

The law recognizes the registration of Sikh marriages but does not include divorce provisions for Sikhs. Other Sikh personal status matters fall under Hindu codes. Under the law, any person, irrespective of religion, may seek a divorce in civil court.

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

Twenty-four of the 28 states apply partial to full restrictions on bovine slaughter. Penalties vary among states and may vary based on whether the animal is a cow, calf, bull, or ox. The ban mostly affects Muslims and members of Scheduled Castes and Scheduled Tribes that traditionally consume beef. In the majority of the states where bovine slaughter is banned, punishments include imprisonment for six months to two years and a fine of 1,000 to 10,000 rupees (\$14-\$140). Rajasthan, Punjab, Haryana, Himachal Pradesh, and Jammu and Kashmir penalize cow slaughter with imprisonment of two to 10 years. Gujarat state law mandates a minimum 10-year sentence (the punishment for some counts of manslaughter) and a maximum sentence of life imprisonment (the punishment for premeditated murder of humans) for killing cows, selling beef, and illegally transporting cows or beef.

One state, Madhya Pradesh, sets fines of 25,000 to 50,000 rupees (\$340 to \$680) and prison sentences of six months to three years for "cow vigilantism," i.e., committing violence in the name of protecting cows. This is the first law of its kind in the country.

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

The constitution establishes the legal basis for preferential public benefit programs for Scheduled Caste or Scheduled Tribe communities and members of the “Other Backward Classes,” a category for groups deemed to be socially and educationally disadvantaged. The constitution specifies only Hindus, Sikhs, or Buddhists are eligible to be deemed members of a Scheduled Caste. As a result, Christians and Muslims qualify for benefits if deemed to be members of “backward” classes due to their social and economic status.

The government requires foreign missionaries to obtain a missionary visa.

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

### **Government Practices**

In February, continued protests and counterprotests related to the CAA devolved into rioting between members of Hindu and Muslim communities in East Delhi, during which 53 people were killed and nearly 400 injured. Two security officials were also killed. The police arrested 1,829 persons in connection with the riots. In its report covering 2020, the NGO Human Rights Watch (HRW) stated that while a police officer and some Hindus were also killed in the rioting, the majority of victims were Muslim. The HRW report also said, “Witness accounts and video evidence showed police complicity in the violence.” In one example reported by *The Guardian*, Mufti Mohammad Tahir was forcibly removed by police from a mosque near Mustafabad and handed over to a crowd, which beat him unconscious and set fire to the mosque.

Among those arrested in the protests were activist and former Jawaharlal Nehru University student Umar Khalid and Jamia Milia Islamia student and activist Safoora Zargar, both Muslims. The Delhi High Court released Zargar on bail in June for health considerations. On October 22, Khalid told a Delhi court that he was being kept in solitary confinement, which had taken a toll on his “mental and physical health.”

Human rights activists and NGOs said that members of the governing BJP and the Rashtriya Swayamsevak Sangh (RSS) Hindu nationalist organization made inflammatory public remarks about anti-CAA protesters but were not charged by police. HRW said that the violence in Delhi broke out soon after a local BJP politician, Kapil Mishra, demanded that the police clear the roads of protesters. In another example, in a widely viewed video posted online on January 3,

Somashekara Reddy, a state-level BJP member of the Karnataka Legislative Assembly, threatened Muslims protesting the CAA. He said, “We are 80 percent and you [the CAA protesters] are just 17 percent. Imagine what will happen to you if we turn against you.”

On April 9, the Delhi Minorities Commission (DMC) demanded the police take action in response to attacks against Muslims in New Delhi during the CAA protests. The DMC requested a report from the commissioner and unspecified “proper action” from the police over “random arrests” of Muslims in connection with the CAA riots in February. The DMC also asked police to file formal charges against perpetrators for an alleged attack on a mosque in Delhi on April 8. A July report by the DMC said the violence in Delhi was “planned and targeted,” and it found that police were filing cases against Muslims for acts of violence but were not acting against Hindu leaders accused of inciting violence, including municipal-level BJP politicians.

Muslim academics, human rights activists, former police officers, and journalists alleged anti-Muslim bias in the investigation into the riots by Delhi police. The Delhi police commissioner stated that the investigation was being carried out without regard to religion and party affiliation and noted that arrests included almost equal numbers of Muslims and Hindus.

Parliament passed the CAA in December 2019 to provide an expedited path to citizenship for Hindu, Sikh, Buddhist, Jain, Parsi, and Christian migrants from Pakistan, Afghanistan, and Bangladesh who had entered the country on or before December 31, 2014. Similarly situated Muslims, Jews, atheists, and members of other faiths from these three countries were excluded from the CAA. As of late 2020, the government had not yet enacted rules to implement the CAA. Domestic and international media, NGOs, religious groups, intellectuals, and some political parties criticized the exclusion of Muslims from the legislation, sparking widespread protests. Activists, NGOs, and political parties filed petitions against the CAA on the grounds that it added a religious qualification to the country’s historically secular citizenship laws. None of the more than 100 legal challenges had been heard by the Supreme Court as of the year’s end. Commentators, members of some political parties, and activists said the CAA was part of an effort to marginalize Muslim communities throughout the country. They also questioned delays in hearing legal challenges to the legislation. The government stated the legislation facilitated naturalization for refugees from religious minorities who had fled neighboring countries due to religious persecution and that Muslims could also apply for citizenship through other mechanisms.

According to *AsiaNews*, two Christians died in June after being beaten while in police custody for violating COVID-19 pandemic curfews in Thoothukudi District, Tamil Nadu. The victims were a man and his son, who were detained for keeping their shop open beyond restricted hours on June 19. Cardinal Oswald Gracias, president of the Indian Catholic Bishops' Conference, said to the media, "Such violence from those who should defend citizens is unacceptable. Justice must run its course and punish the guilty." The All India Catholic Union also called for intervention by the authorities. The NGO International Christian Concern (ICC) reported that four police officers were suspended after the state government opened an investigation. HRW stated that the CBI, which was asked to investigate the deaths following nationwide outrage, charged nine police officers with murder and destruction of evidence in the case.

In September, the Jharkhand Health Ministry ordered administrative action against two doctors who had allegedly declined to provide adequate medical care to Tabrez Ansari, a Muslim who was assaulted by a mob in Jharkhand in 2019 and subsequently died. In August, Ansari's wife met with Chief Minister of Jharkhand Hemant Soren and requested an expedited trial and enhanced compensation. Some NGOs and media outlets continued to report that lawmakers sometimes denied or ignored incidents of mob violence, lynching, and communal violence. HRW reported that since May 2015, 50 persons had been killed and more than 250 injured in mob attacks, including instances when Muslims were beaten and forced to chant Hindu slogans. HRW reported that in some cases, police failed to investigate these attacks, instead filing criminal cases against witnesses to intimidate them.

Some Hindu community leaders accused Christian community leaders of forcibly converting individuals to Christianity and called for additional anticonversion legislation. According to the ICC, in June, Chief Minister of Haryana State Manohar Lal Khattar announced his intention to add an anticonversion law to the state's legal code. Such a law had not been passed by year's end. On August 11, Hindu nationalists attacked four Christian women at a prayer service in Faridabad District of Haryana.

On November 25, Uttar Pradesh State approved a law which would impose penalties of up to 10 years in prison for "unlawful religious conversions" and "interfaith marriages with the sole intention of changing a girl's religion." The governor signed the law into effect on November 28, and authorities made their first arrest under the new law on December 2, according to Indian media sources.

The suspect, Owais Ahmad, was accused of pressuring a Hindu woman married to another man to leave him, convert to Islam, and marry Ahmad. His case was pending at year's end. The Uttar Pradesh government had proposed the law after 14 cases were reported in Kanpur of Muslim men concealing their religious identity, allegedly to lure Hindu girls into romantic relationships, marry them, and force them to convert to Islam, a practice commonly referred to as "love jihad" (a derogatory term). In September, Kanpur police established a special team to investigate these cases after 11 instances of forced conversion on the pretext of marriage were reported in one month.

On December 26, Madhya Pradesh State implemented the Madhya Pradesh Freedom of Religion ordinance, replacing the 1968 Freedom of Religion Act. The ordinance requires prior permission from a district official to convert to the spouse's faith in case of interfaith marriage, with a prison term of up to 10 years for violators. Some NGOs criticized the law for targeting Muslim men wishing to marry or enter into relationships with non-Muslim women. The Chief Minister of Rajasthan State, Ashok Gehlot (Congress Party), said the law was "manufactured by the BJP to divide the nation on communal lines." BJP politicians, including in states where the law had not been proposed, stated that the legislation was necessary to protect Hindu and Christian women from forced religious conversion.

On March 13, the Delhi High Court rejected a petition by local BJP politician Ashwini Kumar Upadhyay to enact a law in that state to regulate and prevent religious conversions by force or deceit, similar to the anticonversion laws enacted in other states. The court stated that religion is a personal belief and to convert to a different faith was an individual's choice.

On March 8, according to media reports, police detained a pastor and a group of volunteers from his church for distributing food and medicine to slum residents in Villupuram District, Tamil Nadu. A local Hindu filed a complaint that the church group was proselytizing. The minister and volunteers denied the allegation and said they had been slapped and harassed while in custody at the Marakkanam police station. Police released them with a warning.

According to ADF India, on February 18, a district court in Ratlam acquitted eight Christians who had been accused in 2017 of conspiring to kidnap 60 children and convert them to Christianity in Maharashtra State.

On March 15, a group of Hindus attacked a church service in Pratapgarh, Uttar Pradesh, with hockey sticks and steel rods without intervention from police who

were present, according to Pastor Indresh Kumar Gautam. Gautam told media that the Hindus accused the worshippers of increasing Christian conversions in the area. Instead of stopping the attack, police took the pastor, three Christian worshippers, and a non-Christian into custody, Gautam said. The pastor said the non-Christian was released immediately. The other four were held for six hours and released on bail after signing affidavits stating they would not be involved in further Christian conversion activities in the area. Gautam also said that a police officer beat him.

The NGOs ICC and ADF India stated that authorities pursued charges against Christians in several states, most frequently Uttar Pradesh, under religious conversion laws or laws prohibiting “insults” to religion or religious belief, including Section 259A of the national penal code. In September, the ICC reported that eight persons were arrested and several house churches closed in Lakhimpur Khere District. Those arrested were charged under Section 259A and were subsequently released on bail.

On June 6, more than 200 Muslim residents of Taprana village in Shamli town, Muzaffarnagar District, Uttar Pradesh, said they were leaving their homes because of intimidation by state police officials. Villagers told media that a police raid on May 26 prompted them to move. They said police ransacked and looted homes during the raid and arrested a Muslim resident who had returned to the village before his six-month ban for cow slaughter had ended. One witness said this was the fourth such raid in two months.

On September 30, a special CBI court acquitted all 32 persons, including former senior BJP politicians L.K. Advani and Murli Manohar Joshi, charged in the 1992 destruction of the Babri Mosque by Hindu activists in Ayodhya, Uttar Pradesh, which sparked violence that led to an estimated 2,000 deaths, mostly of local Muslim residents. The court ruled that the destruction of the mosque had not been a “preplanned act” and that there was no evidence of a conspiracy to carry it out. Some Muslim organizations pledged to appeal the ruling, and some political analysts noted that the judgment was likely to fuel feelings of discontent and marginalization among the country’s Muslim minority, while others disagreed with the ruling but welcomed a resolution to the divisive case after several decades. NGOs and opposition politicians said the outcome was inconsistent with the Supreme Court’s prior findings and expressed frustration that the court’s judgment meant an absence of accountability for the mosque’s destruction.

In November 2019, the Supreme Court awarded the site where the Babri Mosque had stood to a trust for the purpose of constructing a Hindu temple there and provided five acres of land in the city for the construction of a new mosque. On August 5, Prime Minister Narendra Modi attended the inauguration ceremony for construction of the temple. Some opposition politicians and members of civil society expressed opposition to the Prime Minister's attending a religious ceremony in an official capacity.

On July 9, a temple and two mosques located on the premises of a Telangana State office complex were damaged during the construction of a new office complex, prompting Hindu and Muslim organizations and political parties to call for reconstruction of the structures. State Chief Minister Chandrashekar Rao said the damage was accidental, expressed regret for the incident, and said the state would construct a new temple and mosques as part of the new complex. In response to a demand from the Christian community, the Chief Minister announced on September 5 that a church would also be built in the new complex.

In October, the Supreme Court accepted the government's plan to rebuild a smaller temple on the former site of the Guru Ravidas Hindu temple, which had been demolished in August 2019 as part of a government drive against illegal properties. Hindu Dalit groups had protested the demolition and demanded the temple's reconstruction.

The government and media initially attributed early cases of COVID-19 in the country to a conference held in New Delhi in March by the Islamic Tablighi Jamaat organization after media reported that six conference attendees – including some who had travelled from abroad – had tested positive for the virus after gathering at a large event in contravention of social distancing provisions. The Ministry of Home Affairs initially claimed a majority of the country's COVID-19 cases were linked to the event. Some studies indicated the event had resulted in an initial spread of COVID-19. A BJP member of the state legislative assembly in Karnataka said the Tablighi Jamaat conference attendees were spreading COVID-19 “like terrorism.” A senior state-level BJP leader in Maharashtra State called the Muslims who attended the conference “human bombs.” Politicians and some media labeled this “Corona Jihad,” which some NGOs said reflected increasing anti-Muslim sentiment.

At a press briefing on April 4, Ministry of Home Affairs Secretary Punya Salila Srivastava said that law enforcement agencies “through a massive effort, had located and placed around 22,000 Tablighi Jamaat workers and their contacts in

quarantine.” Most of those quarantined were Muslim. In July, authorities charged conference participants from 34 countries, most of whom were Muslim, for violation of visa conditions and “malicious spreading of COVID-19.” Of 956 Tablighi Jamaat members and foreign nationals detained in Delhi, 249 were granted bail and an additional 132 were released in July. In Uttar Pradesh State, 512 Tablighi Jamaat members were released in June following court orders.

In an online address to the nation on April 26, Mohan Bhagwat, the leader of the RSS, called on Indians not to discriminate against anyone in the fight against COVID-19. In a reference to the March Tablighi Jamaat conference, he asked people not to target members of a “particular community” (i.e., Muslims) “just because of the actions of a few.” Prime Minister Modi tweeted on April 19, “COVID-19 does not see race, religion, color, caste, creed, language or borders before striking. Our response and conduct thereafter should attach primacy to unity and brotherhood.”

On April 3, the Gujarat High Court directed national and Gujarat State officials to submit a list of citizens and foreign nationals who participated in the Tablighi Jamaat conference and later entered Gujarat. On August 21, the Aurangabad bench of the Mumbai High Court annulled complaints against 29 foreign nationals alleged to have violated their visas by visiting Maharashtra State (where Mumbai is located) after attending the conference. The judges said that authorities had identified and charged the foreigners in order to make them scapegoats. On September 21, during a Gujarat State legislature meeting, Deputy Chief Minister Nitin Patel and other BJP lawmakers in Gujarat said that Tablighi Jamaat members were responsible for the initial spread of COVID-19 in that state.

On September 24, the Nagpur Bench of the Mumbai High Court dismissed a case against eight Burmese Muslims who were charged with engaging in religious activities that contributed to the spread of COVID-19 in Maharashtra State. The eight had visited a mosque in Nagpur just before pandemic restrictions were imposed in March.

On June 17, the Telangana State High Court questioned Hyderabad police on why cases were registered against “a disproportionate number of Muslims” on the charge of violating COVID-19 lockdown restrictions. The court asked the state police chief to submit evidence of action taken against police officials who used excess force on the alleged violators of the lockdown. Police denied that they were targeting Muslims and said their internal investigation showed that all had suffered their injuries “accidentally.”

The NGO Shia Rights Watch said that during the month of Muharram (August 20 to September 17), authorities had restricted Shia processions in areas of Jammu and Kashmir, blocking roads, arresting 200 persons, and injuring 40. Authorities said the processions were in violation of the COVID-19 lockdown orders.

On March 27, police in Kandhamal District of Odisha arrested a pastor and an official of a church on a charge of violating lockdown restrictions and conducting prayers with approximately 60 attendees. The pastor said he was leading the prayer service because it was “the only weapon” against the virus. The two were later released on bail.

On March 29, police in Hyderabad detained a pastor for organizing worship in a church during a COVID-19 lockdown. He was charged with disobeying an order from a public servant and conducting an act likely to spread an infectious disease dangerous to life. The pastor was released on bail; his case remained under investigation at year’s end.

On April 5, police in the Godavari District of Andhra Pradesh dispersed a Sunday church gathering of 150 persons and arrested Pastor N. Vijay Ratnam on a charge of violating lockdown guidelines. On April 8, police in Hyderabad arrested 10 Muslims, including two imams, for violating lockdown restrictions and offering prayers in a mosque. Ratnam and the imams were released on bail; their cases were under routine investigation at year’s end.

On November 5, a National Investigative Agency (NIA) court in Mumbai extended the detention of Stan Swamy, a Jesuit priest and 84-year-old social activist, on sedition charges in connection with a violent demonstration that resulted in several deaths. NIA officers arrested him on October 8 at his residence on the outskirts of Ranchi, Jharkhand, and his communication with others during detention was strictly regulated. Swamy remained in jail at year’s end.

On July 28, according to media reports, the BJP-controlled Karnataka State government removed some lessons on Christianity and Islam from middle school social science textbooks, stating that the move was intended to shorten the curriculum while school sessions were limited due to pandemic restrictions. After strong reaction from the state’s opposition parties, the state government agreed to review the decision. As of the end of the year, the review was pending.

On October 19, the Allahabad High Court in Uttar Pradesh ruled that the state's Prevention of Cow Slaughter Act "was being misused against innocent persons" and granted bail to a Muslim arrested under the act. Uttar Pradesh police had filed charges in 1,716 cases of cow slaughter and made more than 4,000 arrests under the Prevention of Cow Slaughter Act as of August. According to Uttar Pradesh State government data, the National Security Act (NSA) was also used in some cow slaughter cases; observers said this was to make the charges more serious. Persons detained under the NSA may be held up to 12 months without formal charges.

On March 9, the Gujarat High Court overruled a lower court's order and allowed two Hindus to sell their property to a Muslim under the terms of the Gujarat Disturbed Areas Act, which mandates that property buyers and sellers of different religions receive prior permission for transactions in specified neighborhoods. The State of Gujarat has the only such law in the country. The court decision was significant, according to the Gujarat Minority Coordination Committee, which monitors human rights in the area, because the Gujarat law in practice often restricted Muslims to buying and selling property in low-income areas.

On August 30, a Hindu man in Gujarat filed a complaint with police objecting to his Parsi neighbor's selling land to a Muslim and alleging the buyer concealed his religion and forged documents to evade provisions of the Gujarat Disturbed Areas Act. The complaint remained under police investigation at year's end.

In July, Minister for Minority Affairs Mukhtar Abbas Naqvi stated that cases of triple *talaq* (the practice by which a Muslim man may immediately divorce his wife by saying the Arabic word *talaq* three times) had declined by 82 percent since the government passed a bill in 2019 criminalizing the practice. He said the law had nothing to do with religion and had been passed to ensure gender equality by ending an "inhuman, cruel, and unconstitutional practice."

In February, Chief Justice Sharad Arvind Bobde referred to a seven-judge panel for action a 2016 challenge to a Supreme Court ruling that recognized the minority status of Islamic educational institutions, including Aligarh Muslim University, and their independence in hiring and curriculum decisions. The panel had not ruled on the petition by the end of the year.

On September 15, Uttar Pradesh Chief Minister Adityanath announced that a new museum in Agra would be renamed after the Hindu warrior-king Chhatrapati Shivaji Maharaj instead of in honor of the nation's historic Muslim Mughal rulers,

as had been announced by the previous government in Uttar Pradesh. Adityanath said that the Muslim rulers “cannot be our heroes.”

In September, the national parliament amended the FCRA to prohibit NGOs registered under the act from using more than 20 percent of the foreign funding they receive for administrative expenses. Previously, this limit was 50 percent. The amendment also prohibited FCRA-registered NGOs from transferring their foreign funding to a third party. Opposition parties and NGOs, including faith-based organizations, criticized the amendment and said it was an attempt to muzzle civil society voices. According to HRW, the amendments “added onerous governmental oversight, additional regulations and certification processes, and operational requirements, which would adversely affect civil society groups, and effectively restrict access to foreign funding for small nongovernmental organizations.” The government defended the amendment, stating it strengthened the regulatory mechanism that governs use of foreign funding by NGOs in the country and that NGOs were required to comply with relevant laws.

On February 5, the Ministry of Home Affairs suspended the FCRA licenses of Ecreosoculis North Western Gossner Evangelical in Jharkhand, the Evangelical Churches Association (ECA) in Manipur, the Northern Evangelical Lutheran Church in Jharkhand, and the New Life Fellowship Association Mumbai, preventing the organizations from receiving funds from outside of the country. The ministry said these organizations were engaged in proselytizing, which is a violation for organizations registered under the FCRA.

On September 29, Amnesty International India announced that it was ceasing operations in the country after the government froze its bank accounts in response to an FCRA investigation. The NGO said the government had accused it of violating foreign funding laws in reprisal for its human rights advocacy. In 2018 and 2019, the NGO had documented what were described as numerous hate crime incidents against Christians and Muslims in the country.

On September 15, in response to a petition filed by Jamia Milia Islamia, the Supreme Court suspended broadcasts of a news serial program, *Bindas Bol*, on the grounds that it was prejudiced against the notion of Muslims joining the Indian civil services and that it “vilified” the Muslim community. The court upheld the suspension in subsequent hearings.

Former Jammu and Kashmir Chief Minister Farooq Abdullah told the media in September that as a result of the central government’s ending the special

constitutional status of the territory in 2019 and assuming responsibility for government personnel decisions, an unknown number of Muslim civil servants had been removed from their positions in the territory and replaced by Hindus.

In November, Karnataka member of the legislative council Shantaram Siddi said that members of his Siddi minority group, who are descended from African slaves in Goa, should not be considered members of the Scheduled Tribes, and thus eligible for government benefits, if they converted from Hinduism to Islam or Christianity. He stated that those who converted and received benefits were putting Hindu Siddis at a disadvantage.

Organizations representing members of Dalit communities continued to challenge at the Supreme Court the practice of denying members of lower castes eligibility for educational and job placement programs for those who convert from Hinduism to another religion.

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

International media reported that Hindus led violent attacks against Muslims during February riots in East Delhi. In one case reported by *The Guardian*, Muhammed Zubar said he was beaten with clubs by a group chanting Hindu slogans. *The Guardian* also reported the case of Imran Khan, who said a mob surrounded him on the street, identified him as Muslim, and beat him unconscious with iron rods, crowbars, and metal pipes before dragging him into a gutter with a rope tied around his neck.

According to the NGO Centre for Study of Society and Secularism (CSSS), national media reported 23 incidents of mob lynching during the year, compared with 107 incidents in 2019. The CSSS said the decline was attributed to the COVID-19 lockdowns around the country. Twenty-two individuals were killed in the attacks, including Muslims, Christians, and Hindus, according to the CSSS. Seven of the incidents were directly linked to cow vigilantism. For example, on January 31, a mob in the Bhiwandi District of Maharashtra State attacked Muslims Nafees Qureshi, Aamir Khan, and Aakib Aalam, who were loading a buffalo into their vehicle. Police arrived to break up the attack, but Qureshi died in the hospital from injuries inflicted by the mob. Police later filed a murder case against six of the attackers.

On April 16, according to media reports, a mob in Palghar, Maharashtra, lynched Hindu monks Kalpavrukshagiri Maharaj and Sushilgiri Maharaj along with their

driver, accusing them of being child kidnappers. The mob pulled the three monks from a police vehicle and killed them, also injuring two police officers. Opposition party members in Maharashtra said the killings were motivated by the religious identity of the victims and that the perpetrators were Christian, but the Maharashtra government stated the incident was due to general fear and suspicion of child kidnapping in the area.

The NGO United Christian Forum's violence monitor stated that attacks on Christians and their places of worship continued to escalate in both number and severity during the year. According to the NGO, COVID-19 lockdowns did not lessen attacks on religious minorities. However, the monitor recorded 200 attacks against Christians as of November 12, compared to more than 300 cases reported in all of 2019.

Tehmina Arora, the director of ADF India, said attacks against Christians happened "nearly every day." In its annual report, the ADF documented 279 instances of violence against Christians in 2020, with Uttar Pradesh reporting 70 incidents and Chhattisgarh 66. On November 16, a group of individuals described as religious extremists disrupted a wedding ceremony at a church in Gorakhpur, Uttar Pradesh, and threatened the pastor. The protesters also prevented the pastor from holding prayer services, according to the ADF. The ADF report also said that the Uttar Pradesh law against unlawful religious conversions targeted Christians and restricted their individual freedom to convert to another faith.

The Christian NGO Persecution Relief reported 293 cases of attacks on or harassment of Christians in the country in the first half of the year, despite the widespread pandemic lockdown. The incidents included six rapes and eight killings, according to the NGO. During the same period in 2019, Persecution Relief recorded 208 incidents. The NGO also reported an increase in social media posts by Hindus accusing Christians of forced conversions that included footage of attacks on Christians.

In July, the Evangelical Fellowship of India (EFI) stated there had been 135 attacks against Christian churches, homes, or individuals across the country in the first six months of the year. EFI general secretary Vijayesh Lal said attacks increased during the pandemic lockdown. In September, however, EFI reported 32 incidents of religiously motivated violence against Christians in Uttar Pradesh in the first six months of 2020, compared with 86 recorded incidents in the state in all of 2019. According to the NGO International Christian Concern, the COVID-19 lockdowns

likely reduced persecution in Uttar Pradesh, but reported attacks against Christians increased once pandemic restrictions eased.

In its *World Watch List 2020* report, the NGO Open Doors stated that Hindu extremists, who believed the country should “be rid of Christianity and Islam,” used extensive violence, particularly targeting Christians from a Hindu background. According to the NGO, Christians were often accused of following a “foreign faith” and physically attacked in their villages.

Unlike previous years, the government did not present statistics on religious violence to parliament during the year.

In an example of the sectarian violence sparked by continued protests over the CAA, CNN reported that an armed crowd stormed a mosque in the Ashok Nagar area of New Delhi on January 25, killed the muezzin, beat the imam, scattered worshippers, and set the building on fire.

On September 25, according to media reports, Priya Soni, a Hindu, was beheaded for refusing to convert to Islam after marrying Muslim Ajaz Ahmed in a civil ceremony. Ahmed and Shoaib Akhtar, also a Muslim, were arrested for the crime and were in custody while the police investigation continued at year’s end. According to media, Ahmed and Akhtar were part of an organized group that lured Hindu women into marriage and then forced them to convert.

On October 26, Nikita Tomar, a Hindu, was killed by a Muslim outside her college in Faridabad, Haryana State. Tomar’s family said that she had resisted pressure by her killer to convert to Islam and marry him. In January, the Syro-Malabar Church in Kerala issued a statement that 12 Christian women had been forcibly converted to Islam and taken to Syria to join ISIS and that some may have been killed.

On June 4, 14-year-old Samaru Madkami was abducted and killed in the Malkangiri District of Odisha. Police said they suspected he was killed because the attackers believed he had been practicing witchcraft, but Christian organizations attributed the killing to his family’s conversion to Christianity three years earlier. Police arrested two suspects, while four remained at large at year’s end. A church source stated that 14 Christians had been killed in Malkangiri District in the previous two years.

On August 12, according to media reports, police in Bangalore fatally shot three persons during violent protests by Muslims regarding a Facebook post they said

denigrated the Prophet Mohammed. Sixty police were also injured. Bangalore police arrested the nephew of a Karnataka State legislator from the Congress Party for posting the item on Facebook.

The NGO Persecution Relief reported that on January 12, Hindu activists attacked several Christian homes in Banni Mardatti village in Karnataka State, which led Christian families to move away from the village. On March 1, a Karnataka pastor was attacked by Hindu activists as he led church services. Persecution Relief reported that the pastor was dragged out of his house church, tied to a tree, and beaten with sticks.

*Morning Star News* reported that a crowd of more than 200 attacked a house church in Haryana State on January 5, beating and kicking the pastor, whom they accused of forcibly converting Hindus to Christianity. Police officers took the pastor to a hospital for treatment of a broken leg before detaining him for forcible conversion. He was released on bail on January 7.

The NGO ICC reported that a crowd disrupted a prayer service being hosted in a local home on March 11, then returned to beat the leader of the service and ransack his home when he and his family would not renounce their faith. The victim was hospitalized for a week. Local police declined to take action against the assailants, according to the NGO.

On September 16, assailants in Jharkhand State's Simdega District reportedly beat seven tribal Christians, partially shaved their heads, and forced them to chant Hindu invocations. The assailants alleged the Christians had slaughtered a cow. Police arrested four of the nine assailants.

In March, the Juvenile Justice Board in Alwar, Rajasthan State handed down the first punishment in the 2017 mob killing of Muslim cattle trader and dairy farmer Pehlu Khan. The board sentenced two minor defendants to three years in a juvenile home.

Several Muslim leaders and activists in Telangana State said local BJP leaders and other Hindu activists encouraged Hindus not to buy from Muslim merchants following media reports that many attendees of the Tablighi Jamaat conference in New Delhi in March, who had been accused of spreading COVID-19, were from Telangana.

In April, a leading Urdu-language newspaper warned against a “new wave of hatred against Muslims” created under the pretext of the Tablighi Jamaat’s “so-called civic irresponsibility amid the lockdown.” The newspaper stated, “The assumption that the [Tablighi] Jamaat and Muslims are solely responsible for the spread of coronavirus in India is very dangerous.”

In June, the ICC stated that local Hindu groups in charge of food aid distribution during the pandemic lockdown denied aid to Christian groups unless they renounced their faith. In at least one instance, according to the ICC, Hindus and police attacked a pastor and his congregation, saying the aid was not meant for Christians.

On March 5, a group of Hindu activists prevented a Christian evangelist and his wife from distributing Bible literature in Vellore District, Tamil Nadu State. The activists then assaulted the couple and smeared Hindu sacred ash on their foreheads.

On March 2, Hindu activists entered the Catholic Sanjo Hospital in Karnataka State and assaulted staff for keeping copies of the Bible in hospital rooms and holding prayer services. Police subsequently arrested one hospital employee for proselytizing.

According to Persecution Relief, a Dalit Christian family was prevented from obtaining water from a local well by Hindu groups in a village in Karnataka State. Local police were called to resolve the matter, and the family was permitted to retrieve water.

On February 2, Jharkhand Disom Party (JDP) workers in West Bengal’s Malda District violently disrupted a Hindu mass wedding ceremony for 130 tribal couples organized by the Vishwa Hindu Parishad (VHP). A JDP leader told the media that the tribal individuals were being converted to Hinduism by being married in a Hindu ceremony. The leader also said that the VHP had enticed participants by promising each couple 12,000 rupees (\$160). VHP representatives said they organized the wedding ceremony in line with tribal customs.

There were numerous acts of vandalism and arson targeting Christian sites and symbols during the year. The NGO Persecution Relief documented 49 cases of churches being vandalized, destroyed, or burned over six months, including in Belgaum District, Karnataka, where a church under construction was set on fire on December 17. The NGO said the pastor filed a complaint with police, but arsonists

returned on December 22 and set the church on fire again. Police provided protection to the pastor and church members after the second incident.

On June 13, unidentified individuals burned down the Church of True Peace Pentecostal Church in Tamil Nadu's Chengalpattu District. The pastor said he suspected arson and filed a report with local police. According to Persecution Relief, attacks on Christians in Tamil Nadu increased steadily in recent years, with 57 reported in 2017, 67 in 2018, and 75 in 2019.

In January, unknown individuals vandalized the St. Francis Assisi Catholic Church in a suburb of Bengaluru and ransacked the altar, according to media accounts. Police opened an investigation.

On March 3, police removed a statute of Jesus from a Christian cemetery in Doddasagarhalli, Karnataka, after local Hindus pressed local authorities to remove it, according to the Catholic news site *Cruz*. Archbishop Peter Machado of Bangalore condemned the "forceful removal" of the statute from land that local Christians had used without incident as a cemetery for more than 30 years. He stated the site was not being used for forcible conversions, as alleged by Hindus from outside the village. Machado said the removal was a "violation of the religious freedom guaranteed to us by the Indian Constitution."

Media reported that in Coimbatore, Tamil Nadu, a group threw a bottle filled with gasoline at one mosque and stones at another in retaliation for an attack made on a local Hindu leader during the protests against the CAA.

A Hindu temple in East Godavari District of Andhra Pradesh State was damaged by fire on September 6. In the protests that followed on September 8, a mob attacked a local church with stones, damaging its windows and compound wall. Police arrested 43 persons belonging to various Hindu organizations in connection with the attack on the church. Andhra Pradesh police opened an investigation into the church attack, but all suspects were free on bail at year's end. On September 11, the state government ordered a separate probe by the CBI into the temple fire; the probe had not begun as of year's end.

On September 1, unidentified persons demolished a church in Khammam District, Telangana State. The pastor said that Hindu nationalists carried out the attack in retaliation for a complaint he filed against them in 2019 for disturbing worship.

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

During the year, U.S. embassy and consulate officials met with government officials to discuss reports of religious freedom abuses. Embassy officials, including the Ambassador, engaged with members of parliament and politicians from the ruling and opposition parties on the CAA. They emphasized the importance the United States attaches to religious freedom and the responsibility of democracies to ensure the rights of religious minorities. Among the issues discussed were the Muslim community's concerns about the CAA, difficulties faced by faith-based NGOs in the wake of amendments to the FCRA, and allegations that Muslims spread the COVID-19 virus.

Embassy and consulate officials met with political leaders from religious minorities, NGOs, civil society members, academics, and interfaith leaders to discuss the concerns of religious minorities and reports of religious persecution and religiously motivated attacks. Embassy representatives engaged civil rights NGOs, media representatives, interfaith groups, religious leaders, and politicians to discuss their perspectives on the CAA and its continued impact.

Throughout the year, the Ambassador engaged with religious communities, including representatives of the Buddhist, Christian, Hindu, Jain, Jewish, Muslim, and Sikh faiths. In May, the Ambassador organized a virtual interfaith dialogue during Ramadan in which he emphasized the importance the U.S. government attached to religious freedom in the country. Members of academia, media commentators on interfaith issues, NGO interfaith activists, and representatives of multiple faiths participated.

In January, a senior official from the Department of State Bureau of South and Central Asian Affairs held a roundtable on religious freedom issues with civil society members in Delhi. Also in January, the U.S. Consul General in Hyderabad hosted an interfaith event at his residence and discussed with representatives of principal faiths the rising trend of religious intolerance in the country and how to confront it. In March, embassy officers met with activists of a Dalit human rights network to discuss the perspectives of Dalits and other marginalized religious communities.