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AUSTRALIA

RRT RESEARCH RESPONSE

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Questions

1. Can you provide some information on whether there is any political affiliation with the Congress party and Muslims?
2. What is the ethnic make up in the city of Ahmedabad city? (I.e. is there any dominance by Muslims either in the population or police force?)

RESPONSE

1. Can you provide some information on whether there is any political affiliation with the Congress party and Muslims?

Information addressing this question is presented below under the following subheadings: The Muslim–Congress relationship across India; The Muslim–Congress relationship in Gujarat; The present political situation in Gujarat and Ahmedabad; and Police, Muslims, Congress and the BJP.

The Muslim–Congress relationship across India

Available source information indicates that India’s various Muslim communities have, historically, been a traditional source of support for the Indian National Congress (INC). The level of Muslim support enjoyed by the INC is, however, said to be much diminished compared to the level of support which Muslims gave to the party prior to the 1992 Babri mosque incident; in which a Congress national government failed to prevent the destruction of the mosque by Hindu nationalists and in which subsequent communal riots reportedly “claimed more than 2,000 lives, most of them Muslims”. In 1999 BBC News observed that “The demolition of the mosque on December 6, 1992 by militant Hindus was a turning point in relations between the Congress party and India’s Muslim community”; and: “Although the
Congress party has since apologised for its inaction, it has failed to regain a substantial number of its Muslim supporters”. At the most recent federal elections in 2004, the majority of India’s Muslims are reported to have supported the “Samajwadi Party (SP)-Rashtriya Lok Dal (RLD) combine”, though support for Congress remained significant. According to The Hindu: “Sixty-two percent of the Muslims voted for the combine... The Congress comes second among Muslims with 15 per cent of the community preferring the party”. A 2006 study of Muslim vote banks in India has reported that, at the state level, a range of other left wing parties have also had success in winning support from Muslim communities: “This alternative space popularly defined as being non-Congress and non-BJP in nature, is called the Third Front or the Third Force”. According to research “[p]redicated upon the past electoral performances of the Third Front, its constituencies can be defined to be based in the states of Assam, Bihar, West Bengal, Karnataka, Kerala, Tamil Nadu and Uttar Pradesh. These states not only account for 49% of Lok Sabha seats, but also for the majority of India’s Muslim votebank” (‘Congress loses Muslim support’ 2007, BBC News website, 3 September http://news.bbc.co.uk/2/hi/south_asia/436896.stm – Accessed 5 October 2007 – Attachment 5; for an extensive overview of the diminished nature of Muslim support for the INC, see: Jayal, N.G. 2004, ‘Election of 2004 A Malevolent Embrace? The BJP and Muslims in the Parliamentary’, India Review, vol. 3, no. 3, July, pp.189-192 – Attachment 6; for The Hindu report on Muslim voting patterns in the 2004 national election, see: Singh, V.B. & Verma, A. K. 2004, ‘BJP the real loser, Congress the real winner’, The Hindu website, 20 May http://www.hindu.com/elections2004/verdict2004/stories/2004052000130500.htm – Accessed 5 October 2007 – Attachment 7; for an extensive study, see: Saeed, A. 2006, ‘Emergent Electoral Trends in Indian Politics: Role of the Left and Muslim Votebanks’, Institute of Strategic Studies Islamabad website, Strategic Studies, vol.26, Winter, no.4 http://www.issi.org.pk/journal/2006_files/no_4/article/a1.htm – Accessed 5 October 2007 – Attachment 8).

The Muslim–Congress relationship in Gujarat
Available source information suggests that levels of Muslim support for the INC have remained much firmer in Gujarat than in other parts of India. A study by Dr Priyavadan Patel refers to data which shows that the INC enjoyed between 60 and 70 percent of the Muslim vote bank over the period 1996 to 2002 (though levels of support have fluctuated from one locale to another; with some of Gujarat’s Muslim voters straying from the INC and even voting for the BJP). Prior to the current BJP ascendancy in Gujarat, the INC had established electoral preeminence in Gujarat through the support of the KHAM voting bloc (an alliance of lower caste Hindus and Muslims and other minorities which brought together the support of Kshatriyas, Harijans, Adivasis and Muslims). During the ’80s and ’90s the BJP and its Hindutva (Hindu nationalist) allies reportedly managed to break apart this alliance by focusing the grievances of KHAM’s lower caste Hindus on Muslims; a tactic which, it has been argued, contributed to the widespread outbreaks of communal violence against Muslims which affected Gujarat in the years which followed. A 2003 Human Rights Watch (HRW) report notes that some Congress members were themselves guilty of participating in episodes of anti-Muslim violence and that during the 2002 elections the INC went on to campaign “on what has been termed a ‘soft Hindutva’ platform”; the INC is said to have “won the Muslim vote” nonetheless. In a November 2005 interview, Valjibhai Patel, Director of the Ahmedabad-based Council for Social Justice (“a noted lawyer and Dalit activist”) observed that: “Most Muslim leaders in Gujarat are with the Congress, although the Congress has done nothing for the Muslim community as such and, from time to time, has even been complicit engineering anti-Muslim riots” (Patel, P. (undated), ‘Sectarian Mobilization, Communal Polarization and Factionalism: Electoral Dominance of Hindutva and Voting in Gujarat’,...
The present political situation in Gujarat and Ahmedabad

The BJP is currently in government at the level of state politics having won the 2002 elections. The next state elections are scheduled for November 2007. Some reports have argued that the BJP’s alliance and support networks are experiencing problems. (For information on state elections, see: ‘Disturbing arithmetic for BJP in Gujarat’, AOL India website, 24 August http://www.aol.in/news/story/2007080703359019000001/index.html – Accessed 5 October 2007 – Attachment 13; ‘Who’s afraid of the Patidars?’ 2007, Yahoo News India website, source: Indian Express, 25 August http://in.news.yahoo.com/070824/48/6jw7m.html – Accessed 5 October 2007 – Attachment 12.)

It would appear that Ahmedabad is currently a stronghold of the BJP in terms of local government. Following the October 2005 elections for the Ahmedabad Municipal Corporation it was reported that the BJP had “claimed 96 seats, leaving only 32 to the Congress while a lone seat went to an independent”. A number of Gujarat’s other major municipal corporations were also won by the BJP in the following month leading The Hindu to report that: “the BJP has now established its complete supremacy in urban Gujarat” (Dasgupta, M. 2005, ‘BJP wrests control of Ahmedabad municipal body’, The Hindu website, 16 October http://www.hindu.com/2005/10/16/stories/2005101605480800.htm – Accessed 5 October 2007 – Attachment 14; ‘Sweeping victory for BJP in Gujarat civic polls’ 2005, The Hindu website, 14 December http://www.thehindu.com/2005/12/14/stories/2005121406311300.htm – Accessed 5 October 2007 – Attachment 15).

Police, Muslims, Congress and the BJP

There is very little information available to suggest that the Congress party has influence over the actions of police in Gujarat, or that Gujarat police would seek to protect Muslim elements from prosecution for mistreating Hindus. The Congress party is currently in opposition in Gujarat and reports on policing in Gujarat tend to emphasize the extent to which the police force are influenced by the BJP. It was recently reported that Gujarat police had employed baton-charges and teargas to disperse a Congress party function; “The fracas between police
and the Congress workers broke out when the leaders were addressing a huge gathering to expose alleged lawlessness and corruption in the rule of Gujarat Chief Minister Narendra Modi”. Reports on communal violence in Gujarat tend to emphasise the extent to which police are influenced by the BJP, and other Hindu nationalist groups, and detail numerous incidents in which police have failed to prevent or investigate, and in some cases to have participated in, the perpetration of attacks against Muslim communities in Gujarat. In addressing the 2002 violence which followed the Godhra train incident, “Human Rights Watch’s findings, and those of numerous Indian human rights and civil liberties organizations, and most of the Indian press indicate that the attacks on Muslims throughout the state were planned, well in advance of the Godhra incident, and organized with extensive police participation and in close cooperation with officials of the Bharatiya Janata Party”. As is noted above, in response to Question 1, most reports also identify widespread police inadequacy, indifference or complicity. An extensive report on the 2002 violence, compiled by the Concerned Citizens Tribunal, details numerous instances in which Gujarat’s police are said to have failed to protect Muslims from Hindus. Nonetheless, the report does note some isolated claims which may be of interest. For instance: “Shiv Sena MLAs alleged that police had a nexus with the Congress” following the arrest of one of their leaders in 2002 on the basis of a Congress complaint following clashes between the two groups (see page 196). The report also notes of the period leading up to the ’80s that: “The patronising of liquor mafia dons belonging to rival communities, Hindu and Muslim, by different factions of the Congress in Ahmedabad and Vadodara led to the criminal-politician nexus behind communal violence surfacing with a vengeance”. Reports of more recent episodes of corruption in the Gujarat police force were also located though none of these mentioned a nexus with members of the Congress party (see page 14). (For the baton-charge report, see: ‘Chaos after baton-charge in Gujarat’ 2007, Times of India, 9 August
2. What is the ethnic make up in the city of Ahmedabad city? (I.e. is there any dominance by Muslims either in the population or police force?)

Information on Ahmedabad’s religious demography is available on the website of the Ahmedabad Municipal Corporation, where distribution of population by religion is presented in table using data sourced from the most recent national census, which was conducted in 2001. At the time of the 2001 census, Ahmedabad City was found to have 502,219 Muslims (13.59% of the population) compared to 2,998,432 Hindus (81.62% of the population) (‘3.24 Distribution of Population by Religion – 2001’ (undated), Ahmedabad Municipal Corporation website, in: Statistical Outline For 2005-06, source: Census Reports, 2001 http://www.egovamc.com/outline0506/T03P24.pdf – Accessed 3 October 2007 – Attachment 1).

A recent report, published by India’s Sunday Express notes how few Muslims are in the ranks of the Indian Police Service (IPS), India’s federal police force: “In the Indian Police Service (IPS), too, the story is similar: Muslim representation is around 3.39 per cent. The IPS Civil List 2006 (as on January 1) shows that there are 109 Muslim officers of a total of 3209 officers” (see: Gupta, S. 2006, ‘IAS, IPS, IFS: The invisible officer and a Muslim’, Indian Express, 4 November http://www.indianexpress.com/sunday/story/16047.html – Accessed 8 October 2007 – Attachment 23).

While no specific information could be located on Muslim police in Ahmedabad, a 2002 study of communal violence in Gujarat found that there were very few Muslim officers in the state’s police force, and that those who were employed tended to be placed in positions of lesser influence.

2 Communalisation of the Police Administration

2.1. Evidence before the Tribunal clearly indicates that since the assumption of power by the BJP in Gujarat in February 1998, there was a calculated move to sideline Muslim police officers. Muslim officers were given non-executive posts. (they were assigned to crime investigation etc.). The eight Muslim officers, from a total of 141 IPS officers in the state, were kept away from decision-making posts.

2.2. The Tribunal notes with shock that, as a result of this discriminatory practice by the Gujarat government, the younger batch of Muslim IPS officers who joined service in ’92-’93 have not known executive policing because they have simply been denied the opportunity to test their executive capabilities.

2.3. Gujarat is the only state in the country where IPS officers who are Muslim have never been assigned the post of deputy SP of police. For an IPS officer, the charge of SP, or DySP is a critical training opportunity to gain in executive and supervisory experience.

2.4. The Tribunal recorded the testimonies of many police officials who, for obvious reasons, cannot be identified. In every police chowki, the normal practice is to make head constables in-charge of a beat or outpost. Since the BJP assumed power in Gujarat, it has ensured that in the few instances where a head constable might be a Muslim, he would not be in-charge of the beats/outposts under the chowki.

2.5. Evidence led before the Tribunal indicates that ministers in the BJP government in Gujarat made public statements to ensure that Muslims in the state’s police force were sidelined. For instance, in 1999, Shri Mahen Trivedi, the minister of state for home, stated publicly at a police function: ‘We have told you that we don’t want Muslims in controlling
posts. Why is he posted there?’ (Confidential testimony of police officers before the Tribunal).

2.6. Currently, there are 65 Muslims in police service, at the DySP and inspector levels, in Gujarat. With the exception of one, who has a close relationship with a minister, the rest have all been shunted to CID crime, computer training, civil defence and railways (Concerned Citizens Tribunal 2002, Crime Against Humanity: Volume II, Sabrang website http://www.sabrang.com/tribunal/tribunal2.pdf – Accessed 26 April 2007 – Attachment 2).

Information follows below, sourced from a 2003 study by Dr R.K. Raghavan (a former Director of India’s Central Bureau of Investigation), which explains the organisation of policing in India in terms of the relationship between state governments, state based police forces and the national IPS service. According to Raghavan, the state governments “manage large police forces (sometimes of the order of 100,000) and are constitutionally responsible for law and order” but it is also the case that “[a]ll of the highest posts in the police, the directors general of police both in the states and in central police forces, are held by IPS officers”. This arrangement is “intended to bring a national perspective to the administration of a country riven by centrifugal and divisive tendencies” and gives “the Home Ministry in Delhi (the cadre authority for the IPS)” some influence over the state police forces. Nonetheless, according to Raghavan, state governments exert more direct influence over a senior policeman’s career: “As a result, senior officers are unlikely to displease the political masters when the latter ask for irregular favors. Conformity rather than confrontation is therefore the order of the day”. Some pertinent extracts follow:

The organization of the Indian police reflects the country’s centralized federalism. It is federal in that it is organized by the states, which manage large police forces (sometimes of the order of 100,000) and are constitutionally responsible for law and order (as in other parliamentary federations like Canada). It is also centralized in the sense that senior police officers are recruited nationally as members of the Indian Police Service (IPS), which together with the Indian Administrative Service (IAS), is one of the three All-India Services. (The third is the Indian Forest Service.) In addition to this national organization, there are numerous paramilitary forces such as the Central Reserve Police Force and the Border Security Force that assist states in many contingencies, including the conduct of elections to the state legislative assemblies and the national Parliament.

…The Indian Police Service (IPS) came into being after independence in 1947, as the successor to the Imperial Police. All of the highest posts in the police, the directors general of police both in the states and in central police forces, are held by IPS officers. In addition, a majority of the supervisory positions in the ranks below DGP, that is, from additional DGP down to superintendent of police, are also from the IPS.

Like their counterparts in the Indian Administrative Service, IPS officers are recruited, appointed, and trained initially by the central government and later allotted to different states. This is notwithstanding the fact that “Police” is a subject in the state list of the Constitution of India.’ In a perhaps unparalleled arrangement, IPS officers are liable to serve anywhere in the country, including service with the central government.

The dual authority over the police leads to occasional differences between the Home Ministry in Delhi (the cadre authority for the IPS) and state governments. These may concern general policy matters related to the career management of IPS officers, the size of the cadre in each state, and what specific posts should be allocated to the cadre.

…While it is true that major penalties like dismissal, removal, or reduction in rank can be imposed on delinquent IPS officers only by the central government, state governments do
possess other powers. For instance, they have the authority to place such officials under suspension for a specified period of time, without the permission of the Center.

...In addition to suspension from service, unbending independent-minded officers can be harassed by frequent transfers from one location to another, or between jobs. This device is employed to make officers submit themselves to orders of the executive that are irregular. Such transfers can be devastating to officers with families, because they mean the dislocation of domestic life. As a result, senior officers are unlikely to displease the political masters when the latter ask for irregular favors. Conformity rather than confrontation is therefore the order of the day.

Although there have been repeated outcries against this practice of shifting officers between positions at frequent intervals, there is no administrative law prohibiting it. Only a large measure of enlightenment on the part of the politician can bring about a change. Neither the central government nor the courts and administrative tribunals are competent to interfere in the matter. Transfers are passed off as routine administrative decisions.

The situation has noticeably affected the quality of police leadership. For instance, when a subordinate officer seeks action for a violation of the law, his supervisory officer may fight shy of acting because the individual concerned belongs to the ruling party, which the supervisor is reluctant to displease. This sends the wrong signal all the way down the line. It is not surprising, therefore, that there are very few instances of individuals belonging to a party in government being arraigned before the courts for unlawful activities (Raghavan, R.K. 2003, ‘The Indian Police: Problems and Prospects’, *Publius*, vol.33, no.4, pp.119-134 – Attachment 4).

Internet Sources:

Databases:
FACTIVA (news database)
BACIS (DIMOA Country Information database)
REFINFO (IRBDC (Canada) Country Information database)
ISYS (RRT Country Research database, including Amnesty International, Human Rights Watch, US Department of State Reports)
RRT Library Catalogue

List of Attachments


