

Cultural Policing in Dakshina Kannada

*Vigilante Attacks
on Women and
Minorities, 2008 - 09*

*Report by
People's Union for Civil Liberties, Karnataka (PUCL-K)*

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This Report is dedicated to the many ordinary citizens who have courageously questioned vigilante acts of cultural policing. In particular we would like to remember the courageous action of Pawan Kumar Shetty who jumped into the fray when girls were being attacked in Amnesia Pub, Mangalore and willingly bore the brunt of the mob fury thereby helping some of the girls to escape. In the context of the state's failure to protect and defend the Constitution, we honour ordinary citizens who through their actions have tried to ensure that Constitutionally guaranteed rights remain a lived reality and not just a parchment of paper.

Introduction

chapter I

1.1 Need and Purpose of this Report

It was only after the continuous telecast of the images of the women who were subjected to a horrific assault by cadres of the Sri Ram Sene in a pub in Mangalore on January 24, 2009, that public attention gravitated towards what was happening in Mangalore. Even prior to this incident, The Hindu and many other newspapers had for many months reported various incidents of cultural policing where boys and girls from different religious communities were attacked merely for being together.

The sense we got from discussions with social activists based in Dakshina Kannada was that there was a lot more to what was happening there than was apparent in the sporadic incidents which made it to the national press. We felt that the kind of incidents that were coming to the surface, be it the attack on women in the pub or attacks on anyone who dared to cross religious boundaries and interact, pointed to a new phase of communal politics.

Hindus and Muslims of different sexes are generally discouraged from speaking to each other, leave alone allowed to fall in love with each other. However, when these strictures are imposed on not just boy-girl love affairs or marriages but extends to interaction between members of different religious communities, cultural policing takes on a different dimension. Self styled vigilante groups have begun to police social interactions between members of different religious communities such as boys and girls drinking juice together or sitting together on a bus merely because they come from different religious communities. Cultural policing also targets women in particular and lays down norms with respect to public spaces they can occupy and the clothes which they can wear.

Cultural policing has as its primary target, young people. From Shefantunde (16) who was attacked for talking to a Hindu girl to a college student Shruti for talking to Shabeeb on a bus to Anishwita (23), Akeel Mohammad (24) and Pramilla(22) for drinking juice together, it is the young who have come under vicious attack. Perhaps we also need to think of young people not just as victims but indeed as agents of social transformation who through their everyday acts of fraternal living are fulfilling

Self styled vigilante groups have begun to police social interactions between members of different religious communities such as boys and girls drinking juice together or sitting together on a bus merely because they come from different religious communities.

the promise of the Indian Constitution and thereby imperiling the ideological agenda of those who see India differently.

It is the everyday acts of living in a multi-religious society which are currently being rigorously policed and ordered by vigilante Hindu groups. The aim of cultural policing is to produce a form of social apartheid where the various communities become self-enclosed structures with inter-community social interaction being actively discouraged. This makes a mockery of the Indian Constitutional order as well as Indian traditions of tolerance and pluralism. Hence the developments in Dakshina Kannada call for urgent national attention.

1.2 Background to Dakshina Kannada

Dakshina Kannada has generally been seen as a very progressive district on most socio-economic indicators. The district has an area of 4866 square kilometre. The density of human population is 390 persons per square kilometer. There are 354 villages in the district. The population of the district was 1,897,730 of which 38.43% is urban as of 2001. The population increased 14.51% from 1991 to 2001, to 15.98% in the 1981-1991 period. The district is divided into five talukas. Mangalore, Bantwal, Puttur, Sullia and Belthangady.

The Dakshina Kannada district is in the forefront in education. Primary and secondary education has reached every section of society. The district's literacy rate is far above the national average. The district has also made tremendous progress in higher education (degree classes and above), especially in the field of professional education. A host of educational institutes offering courses in medicine, engineering, pharmacy, nursing, hotel and catering, law and management are located in this district. Students from different parts of India flock to Dakshina Kannada and Udupi districts because of high standards of education. The progressive nature of Dakshina Kannada on gender issues is also attested to by the fact that in the 2001 census, the sex ratio is 1022 females per 1000 males.

In terms of caste composition of the district, Brahmins, Bunts and Christians have dominated other groups and minorities. This has led to disgruntlement among the lower castes (Billavas and Moghaveeras), which has been channelized skillfully by the BJP. The Billavas were predominantly pro-Congress, but now they follow the Sangh Parivar. Initially, Dakshina Kannada was rightly celebrated for its lower-caste cultures that were marked by syncretic elements (e.g. the Bhuta cult). However, in recent times, these inclusive elements have become progressively brahminized, e.g. "Deivas" (bhutas) became "Devas". Today, by and large, these inclusive and diverse cultures have got assimilated into the higher-caste culture. Nowadays, many in the lower castes tend to look down upon their own Bhuta rituals.

Educationally, there is resentment among the lower castes of Catholic educational institutions as well as of the levels of education achieved by the Christians. They are also resentful of the Muslims who are perceived to have gone abroad in larger numbers and reaped the prosperity of Gulf money. Due to the spread of mass education in Dakshina Kannada, Dalits have access to education but their consciousness has not been shaped by any significant anti-upper caste struggles. There is none of the radicalization of sections of the Dalit community that has happened in other parts of Karnataka.

Prior to land reforms in the 1970's, there were very few anti-upper caste mobilizations. After the advent of land reforms, many tenants became owner-cultivators, but since the tenants were from dominant castes as well, social relations by and large remained unchanged. The agrarian order however got destabilized under land reforms. Losing their lands, Bunts switched their support from the Congress to the BJP.

The development paradigm has been tilted towards big powerful groups, both farmers and industrialists, and has left out marginalized groups. Land has not remained with the cultivator. Precious land has been left uncultivated and is lying fallow because the land now belongs to a host of absentee landlords. Food output has been traditionally marked by biodiversity, but now it's being destroyed by monocultural development. Resentment by Mogaveeras and Billavas towards other communities has intensified, which has contributed to communal tensions. At the same time, class disparities have appeared among each of these communities. The richer sections of these communities have gravitated towards the BJP, and the masses, due to the lack of a coherent ideology, have followed the powerful sections of their community.

Anti-Muslim feeling prevails especially among Billavas and Mogaveeras. In the case of Mogaveeras, as fishermen, they are in economic conflict with Beary Muslims who are traders in fish. As far as the Billavas are concerned, they bear the brunt of the unemployment problems. The Sangh Parivar is mobilizing unemployed youth in Billava and Mogaveera communities. Neither Billavas or Mogaveeras have strong community organisations to address their issues, and this vacuum has been filled by the Hindutva organizations like Bajrang Dal and Sri Rama Sene. Billavas, who form a majority of Sri Rama Sene cadres, have moved from being followers of Sri Narayan Guru to the Hindutva brigade. Mogaveeras have found a niche in the Bajrang Dal.

There is thus an intense sense of competition among backward communities such as the Mogaveera, Billava and large sections of Muslims, who are also very poor. Often these sections compete for the same sector of low-end jobs.

Globalization, which has come to Mangalore in a big way, has only intensified this process of competition for limited resources. In the last four years, malls, hi-tech hospitals and other such institutions have mushroomed. There is an obscene level of wealth. This produces tremendous alienation as many sections of the people have no access to these places; equally, there is enormous resentment of the privileges that an English education brings by way of opportunities, economic and social.

The current communal tensions in Dakshina district have their roots in the region's rapid development since the 1970's. The advent of the land reforms created new spaces for different castes and communities to operate in and compete with each other. Dominant social groups like Konkani Brahmins, Bunts and Christians found opportunities in new ventures like banking, education, or new industries like tiles, cashew nuts and fishing; many Bunts moved away to places like Mumbai to establish 'Udipi' hotels. Backward castes like Mogaveeras and Billavas, who were freed from dependent tenancy, moved into small businesses like fishing, where they had to contend with the Bearys, an ethnic Muslim community which has a sizable presence in Dakshina Kannada, forming 15% of the total population, with a heavy concentration in districts like Mangalore, Bantwal, Belthangady, Surathkal, areas which have today become communally sensitive. The Gulf boom of the 1970's and the new industrialization enabled the Beary community to enter the newer economy and markets through petty businesses (textiles and grocery), middle-level businesses (hotel and spices economy), and even capital-intensive businesses. All this produced disgruntlement among upwardly mobile elements of the backward communities and led to a discourse of marginalization, creating the conditions for communal mobilization and communal identity.

The sense of deprivation and competition among these groups, which is really a sense of frustration with the existing pattern of inequitable development, is being systematically transformed into hatred through the cadre-based politics of the Sangh. In every village in Dakshina Kannada, whenever religious or cultural functions are organized (e.g. Bhuta worship), they have become completely saffronized. The structure of the Sangh Parivar combined with systematic work has ensured that its institutions have now infiltrated into every village and participate in almost all activities. Thus, the culture of this area has steadily become very fundamentalist with the last fifteen years seeing the emergence of a strong anti-minority feeling. This has preceded the coming of BJP to power and attests to the cadre-based work of the Sangh.

1.3 Consolidation of Hindutva Forces in Karnataka

The formation of the first coalition government with the BJP as a junior partner in February 2006 and the installment of the first BJP Government in the South in May

2008 marked an important bench mark in the politics of the Hindu Right in Karnataka. Once the BJP government was in power, the question was whether it would focus on its electoral mantra of ‘development’ or make Karnataka an experimental field for the politics of the Sangh Parivar. Close to completing a year in office the BJP government has taken numerous actions which establish its anti-secular agenda. (See **Annexure I**) Within months of the swearing in of the Yeddyurappa Government, there were orchestrated attacks on churches by Bajrang Dal activists and the Karnataka Government was deeply complicitous in not taking any stern action against the attackers. The question whether the BJP government would rein in the extremist elements of the Sangh and focus on ‘development’ was answered in the negative. The Chief Minister, Yeddyurappa and the Home Minister, V.S. Acharya made a series of statements which in effect sought to minimize the extent of the attacks and sought to deflect attention by repeatedly referring to the ‘spontaneous anger’ of the people due to conversions which according to them were responsible for the attacks. (See **Annexure II**) The other action of the BJP, both as a junior member of the coalition headed by Kumaraswamy as well as by the present administration, was to withdraw cases against many Sangh Parivar activists that had been filed on the specific ground of inciting hatred against communities on grounds of religion (Section. 153-A of the Indian Penal Code). One beneficiary of this government action was a man named Pramod Muthalik of the Sri Ram Sene.

Pramod Muthalik was originally with the Bajrang Dal, but was ousted from it for reasons that are somewhat obscure. He worked with the Shiv Sena for a while before forming his own outfit, Sri Rama Sene. Despite the Sangh Parivar’s disclaimer to the contrary, Sri Rama Sene has very close connections with the Sangh Parivar, ideologically and organizationally. Prasad Attavar, convener of Sri Rama Sene, has admitted that the pub attack was carried out jointly by the cadres of Sri Rama Sene and Bajrang Dal who are working towards a common goal. The leaders of these organizations are different, but the cadres staging such attacks see themselves as part of the same programme.

The Sene is part of a long-standing Hindutva project of restructuring and redefining the ideal Hindu woman, and, in the current context, of confronting what the Sangh Parivar calls “the love jihad”, i.e., a perceived Muslim strategy to defile the Indian woman.

The rise of Sri Rama Sene and other outfits, such as Hindu Jagran Vedike, Hindu Jannajagriti Samithi, Sanathan Sanstha, and so on, points to the emergence of a radical project of the Sangh Parivar to move towards the stage of an armed offensive to realize its fascist objectives. Most of these organizations have cadres (mostly men) drawn from lower castes or Other Backward Castes (OBC), who are

disenchanted with the rigidly Brahminical structure of the Rashtriya Swayamsevak Sangh (RSS). They are quite anti-brahminical, and anti-caste; in fact, many of their cadres encourage inter-caste marriages. Yet they have been saffronized through activities such as bhajana mandalis, brahma kalasa, jeevodhara and so on. Equally, the Ram Sene often joins leftist struggles for economic causes (e.g. struggles against water privatization, Special Economic Zone (SEZ), workers' retrenchment and so on), but actively recruits Dalits for Hindutva.

All this indicates that the Ambedkarite ideology has not percolated to the Dalit masses. As Lolaksha, a Dalit leader of Ahinda, remarked, many Dalits have been recruited as "the foot soldiers" of the Sangh Parivar which is using Muslims and Christian as bogeys to frighten Dalits. According to Lolaksha, this also indicates the failure of secular liberal politics in Karnataka. Progressive organizations have been unable to draw many Dalits into their struggles.

1.4 Methodology

This fact-finding team was put together to try and understand how cultural policing is being carried out, its gravity and extent, and the impact of this form of cultural policing on the polity and society of Dakshina Kannada. We will also explore what solutions activists have been advocating for this form of policing of the acts of everyday living.

The methodology followed by the team was to interact with as wide a cross section of citizens in Mangalore as possible. We visited Mangalore from 19 February to 21 February 2009.

The members of the Fact-Finding Team were:

1. Ramdas Rao, People's Union For Civil Liberties, Karnataka (PUCL-K)
2. Shakun Mohini, Vimochana
3. B.N. Usha, Hengasara Hakkina Sangha
4. Arvind Narrain, Alternative Law Forum

We conducted and documented interviews with various key groups. We spoke to members of the Hindutva groups, in particular members of the Sri Ram Sene Madhu Urvastore and other members of the Sene, RSS sanchalaks Gopal Krishna and Nagaraj at the Sangh Niketan, Mangalore. We spoke to activists from a diverse social spectrum including activists of the Democratic Youth Federation India (DYFI), Munir Kattipallya and Shekar L, Lolaksha of Ahinda, P.B. D'sa and Suresh Bhat of the Peoples Union Of Civil Liberties (Mangalore Unit), academics Rita Noronha of Roshini Nilayam, Pattabi Somayaji of Mangalore University, educationalists

Fr. Swebert D. Souza, Principal of St Aloysius College, Swaroopa Shetty Principal of Matha Educational Trust Pre University College, journalists Sudipto Mondal of The Hindu and Umar. H of the Tulunadu Vaibhava, and students of two colleges in Mangalore, University College and Aloysius College. We also spoke to the then Superintendent of Police, Dakshina Kannada district, Satish Kumar.

We were also greatly aided by the work of Alwyn Prakash D'Souza, SJ from the Indian Social Institute who had put together a compilation of incidents of cultural policing in Dakshina Kannada from September 2008 up to mid February 2009 in the local Kannada Press.

This report would not have been possible without the invaluable discussions and interviews with social activists and journalists whose viewpoints have shaped our perspective in this report.

Some of the gaps in this fact-finding investigation were an inability to speak to representatives of the Bajrang Dal. In spite of our calling and sending him a text message, Sharan Pumpwell, President of the city unit Mangalore of the Bajrang Dal did not respond. Gopal Hosur, the Inspector General of Police (IGP), was not in his office and was unable to meet us.

The main gap turned out to be the fact that the victims of cultural policing who had gone underground and proved very difficult to contact. The pub attack was symptomatic of this problem as none of the victims were willing to come forward and give testimony. Though we called the CPM MLA from Kerala, C. H. Kunhabbu whose daughter Shruti was assaulted in a bus he too did not return the call or respond to the text message. This inability to speak directly to the victims points to the atmosphere of intimidation that continues to prevail in Dakshina Kannada.

Vigilante Attacks in Dakshina Kannada

2.1 *The Amnesia Pub Incident (24 January, 2009)*

According to one of the victims of the attack, around 4 pm, a group of over 40 people, wearing saffron headbands and scarves, came in through the main gate and approached the bouncer of the pub. She said that before barging into the pub, the mob went into a huddle and prayed silently. Then they began raising slogans ‘Bharat Mata ki Jai,’ ‘Jai Sri Ram,’ ‘Bajrang Dal ki Jai’ and ‘Sri Ram Sena ki Jai.’

“They asked to be let in so that they could get everybody out of the joint,” she said. Even as the bouncers negotiated with them at the entrance, the pub’s staff quickly closed the doors, and locked the bouncers outside. Hearing the noise, a curious kitchen staffer opened the rear door to see what was happening. The mob seized this opportunity and barged in through the kitchen. “Once inside, they went straight for the women guests. They rounded them up at the centre of the dance floor and then started beating them mercilessly,” she said. After the initial beating, some of the assailants began to single out some of them and molested them. “We have been molested and humiliated in the name of God and country by people who obviously have no regard for either of the two,” one of them told *The Hindu*.

“One of them stripped a girl and groped her. She was also badly beaten up. We are still trying to trace her,” she said. According to her, several girls were similarly targeted. “They were laughing when they were doing all this. It was just fun for them,” she said. The attackers then targeted the men who dared come to the rescue of the girls. The narrator herself was slapped a few times. (*The Hindu*, 27.01.09)

Another victim spoke to the Times Now Channel covering her face. Recounting the trauma that no amount of consolation can erase, she claimed that the Sri Ram Sena activists hurled abuses at them and called them “prostitutes”. “We were attacked, beaten horribly, our hair pulled, we were kicked, put on the floor. A few of our pants were pulled down, skirts pulled down. We were molested more than attacked. Being molested in front of the camera and being called prostitutes is something no girl wants to go through.” “We are scarred for life....We were thrown

“We have been molested and humiliated in the name of God and country by people who obviously have no regard for either of the two,”

about, hit. What you did not see was what we saw that day—the footage of us being molested,” recalled a horrified victim. They said that, “What happened on Saturday was traumatizing, but we need to feel safe again.” (<http://timesnow.tv/NewsDtls.aspx?NewsID=27720>)

One of the facts to note about the attack was it was well orchestrated with the media receiving advance notice of the attack. In fact the attack began only after the TV cameras were well stationed to cover the attack in all its details. It should also be noted that Amnesia Pub is located in a posh, crowded and up market locality. This attack took place around 4 pm. and was observed by numerous passersby. Among the large number of people who watched this brazen day light attack, there was only one person, Pavan Kumar Shetty, who jumped to the defence of the girls who were being assaulted.

Recalling the events, Pawan Kumar explains: “I could not bear to stand and watch. I just ran into the attacking mob to get their attention away from the girls.” Video clippings show the entire mob turning its fury on Pawan Kumar, allowing the women to escape. According to him, there were over a hundred bystanders, “but not one of them did anything to prevent the attack.” Had the people united against the attackers, they could have easily chased them away. Instead, “Everyone was falling over one another to get a glimpse of the action. It was like a cricket match.”

The feeling that ‘it was like a cricket match’ and was part of the ordinary course of things was reflected in the interviews conducted by the Fact Finding Team. The RSS Sanchalaks we met were clear that the pub incident was only one in a series of incidents and did not deserve that kind of publicity. Similarly, journalists in Dakshina Kannada were genuinely surprised when the Mangalore pub attack became national news since the incident appeared to them as entirely in the normal course of things. One key reason for the Mangalore Pub incident becoming a national scandal was that the footage was captured on TV and aired on all major national networks. Otherwise, it might well have been condemned to obscurity as were numerous other incidents of cultural policing which have taken place in Dakshina Kannada.

The national level attention compelled some action from the government. A First Information Report (FIR) was registered in the matter on 24.01.09 under Sections 143 (being a member of an unlawful assembly), 147 (rioting), 323 (voluntarily causing hurt), 448 (house trespass), 504 (insult intended to provoke breach of the peace), 354 (outraging modesty of a woman), 506 (criminal intimidation) read with 149 (if offence is committed by a member of unlawful assembly, all others members of assembly shall be guilty of offence). It should be noted that all the sections booked against what the FIR describes as ‘10-12 unknown persons’ are bailable except Section 506 which is non bailable because of a Karnataka amendment.

The FIR itself was lodged by the owner of Amnesia Bar, Dr Rajshekar and it reads as follows: ‘I am a doctor and I also run Amnesia Bar and Restaurant which is located on Mangalore Road, back side of Bharat building, in the Woodside hotel building. The bar license is in the name of Kaignakanta Shetty. I am running the bar and restaurant on a lease. On 24.01.09 evening four o’clock, I and my brother Santosh were inside the bar when 10-12 unknown people forcibly entered the bar and the customers which included both boys and girls were hit with their hands and made to go outside. The girls were dragged by their hands and molested and attacked. When I asked all those who were attacking why they were creating this trouble, one of the accused called me a bastard and a son of a prostitute and said if you make women sit in a bar and give them beer we will not let them go. We will not let you live either. By so saying he put me in fear of my life Because of the attack the customers ran away from the bar. I do not know who they are. Ten to twelve of the accused were youth aged 20-25. If I see them again I will recognize them. This unlawful assembly entered the bar and attacked the customers with their hands. They also molested the women and beat them as well. I request that you take proper legal action.’

The FIR was registered on the same day as the incident itself and the Mangalore police initially arrested ten people. Subsequently, another sixteen people were arrested. All the accused including Prasad Attavar, the Sri Ram Sene Vice President, were released on bail on 31.01.09.

Pramod Muthalik, who was not even an accused in the Mangalore Pub attack, was arrested on 27.01.09 in connection with an earlier First Information Report(FIR) filed by the Davangere police on grounds of promoting enmity between groups on grounds of religion (Sec 153-A of the IPC). He was subsequently also arrested in connection with another case of making inflammatory speeches in Madikeri. He got bail in both cases. In the case filed in Madikeri, he had to furnish a personal bond of Rs 1 lakh, and BJP member M K Narayana Rao agreed to stand surety for him.

Responses to the Amnesia Attack

Union Minister For Women and Child Deveopment (Renuka Chowdhary)

The first and the strongest response after the pub attack came from Renuka Chowdhary, Union Minister for Women and Child Development, who said that the Karnataka Chief Minister B.S. Yeddyurappa is answerable for the attack on women in a pub in Mangalore by a self-styled pro-Hindutva group. Chowdhary said it was an effort by the radical Hindu group to “Talibanise India” and it was unacceptable.

Renuka Chowdhary’s high profile intervention set the tone for much of the media coverage as well as civil society response. The word ‘Talibanize’ was picked

up and used to describe what was going on in Mangalore by both media as well as civil society.

Following her intervention, the National Commission for Women (NCW) sent a team to Mangalore to conduct a fact finding investigation. One of the team members Nirmala Venkatesh came out with a statement to the media in which she in effect blamed the pub for having lax security and recommended cancellation of the license while saying that the twenty seven accused had not intended to attack women and had apologized for the same. The Chairperson of the NCW, Girija Vyas promptly disassociated herself from Nirmala Venkatesh's statement. (This proved to be prescient as upon being sacked from the National Commission for Women, Nirmala Venkatesh promptly joined the BJP thereby casting further doubt on the motivated nature of her Report) Following these developments, Renuka Chowdhary sent another fact finding mission, a two member team, headed by Kiran Chaddha, Joint Secretary, Women and Child Development.

This team in its investigation found that Amnesia Pub, where members of Sri Ram Sene thrashed the girls on allegations of "obscenity" and "violating traditional Indian culture by consuming alcohol", was not serving liquor at the time of incident. "It was 4 o' clock in the evening and the girls have simply gone there to celebrate the birthday of one of their friends. No drinks were being served there as it was a normal restaurant." Joint Secretary Kiran Chadha said the attack was "pre-meditated" by the right-wing Sri Ram Sene, which, she said, quoting complaints of the victims, was a kind of "anti-social" group there. Chadha said she met all the girls who were "roughed up" by the hardliners at the Amnesia Pub last month and found them in a "shattered" state of mind. "They told me that they want their life back in Mangalore. They said they are not allowed to wear what they are comfortable in. They are not allowed to interact with the people." Chadha announced that the chargesheet in the attack case has already been prepared by the local police and will be filed soon. Her team has also given a clean chit to the pub owners on security issues saying there were adequate arrangements of security.

Renuka Chowdhary in various public utterances since then has said that "The state government is not in control of the law and order situation. Talibanisation is happening. There is a clean communal divide where a Hindu girl is prevented from talking to a Muslim boy. It is a very dangerous trend," She feels that "there is a breakdown of law and order in Karnataka and I think we should look at it as a national security problem," She comments: "It is a much deeper rot. Today it is a pub, tomorrow if you are sitting in the staircase in front of your house, they will come and slap you. It is fascism, there is an attempt to spread an ideology of hatred in Karnataka, an attempt to bring a communal divide. It is fascism supported by a

state government that we need to be concerned about.” Following these statements the Mayor of Mangalore, Ganesh Hosebettu, a BJP member, filed a First Information Report (FIR) against the Women and Child Development Minister Renuka Chowdhary for allegedly defaming Mangalore’s reputation by referring to the Talibanization of Mangalore.

Response of the Sri Ram Sene

Speaking about the attacks, Sri Ram Sene chief Muthalik made a series of contradictory statements all of which sought to minimize, explain and even justify the attack::

- *“The incident is not so big for it to become a national issue. This is just a plan to discredit the BJP government.”*
- *“It is not in our culture to take drugs and dance naked.”*
- *“The way [Sri Ram Sene acted] has been wrong. I apologize for this. The way should not be like that. But it is our right to save our mothers and daughters,”*
- *“Pub-culture is not our culture...Media should highlight and show the aim behind our act to the society.”*

When we met the members of the Sri Ram Sene, their responses followed the pattern set by Muthalik. ‘We admit it was wrong to attack the girls in the pub, but they verbally assaulted us, using extremely obscene language. In fact one of them threw beer on one of us. That made our friend very angry. The media went on showing the pictures of the girls being attacked. We’re willing to apologize to the girls, but they’re not ready to come forward. In fact, women in our families have themselves criticized us for attacking women in the pub, though they agree that the pub action was necessary. We attacked the women only because they went to pubs.’

Response of the Karnataka Government

The BJP government came in for strong criticism for its perceived slow and indifferent response. Responding to the criticism, the Yeddyurappa administration finally moved to officially disassociate itself from the actions of the Sri Ram Sene. The Chief Minister was widely quoted as saying that, “Sri Ram Sene has nothing to do with (Sangh) Parivar, I am telling you honestly”. However the Chief Minister diluted his own position of distance from the Sri Ram Sene by coming out with a statement that he too was against “pub culture”, though he disapproved of anyone taking law into their own hands. By endorsing their stand he in effect said that he subscribed to their objectives though he might have disagreements about their strategy. In keeping with this broad sympathy for the objectives of the Sri Ram Sene, he explicitly ruled out any further action against Sri Rama Sene. To questions of whether a ban

should be contemplated or whether the Goondas Act should be invoked, the Government in spite of a series of statements of possible intent, decided against such measures.

The preceding action of the Karnataka Government just before the pub incident was the withdrawal of criminal cases against Pramod Muthalik in cases in which he was charged with promoting enmity on grounds of religion (Section 153-A of the IPC) and malicious acts intended to outrage religious feelings (Section 295-A of the IPC). The specific cases in which Muthalik was a beneficiary of this governmental action were in Chikmagalur Town P.S. Cr. No. 256/02, Chikmagalur Rural P.S. Cr. No. 391/02, Chikmagalur Town P.S. Cr. No. 260/03.

2.2 The Intimidation of Independent Voices

In public, both the BJP and the RSS sought to distance themselves from the Sri Ram Sene. Even while claiming that they were against 'pub culture,' they condemned the methods employed by the Sri Ram Sene. However, as the following interviews reveal, the actions of other Sangh affiliates in the immediate aftermath of the pub attack tell another story.

Interview with Pattabhi Somayaji of University College, Mangalore

Pattabhi Somayaji, who teaches English at University College in Mangalore, has been actively involved in various social causes in Karnataka. He has spoken and written on communal harmony issues as well as on various issues affecting deprived sections of the community. His vocal opposition to the politics of communal mobilization under Hindutva has earned him the enmity of the Sangh Parivar. He observes:

"In fact, two to three years ago Vijay Karnataka carried an article in which academics with well known left and liberal credentials such as Rajendra Chenni, Nagari Babiah and V.S. Sridhara as well as myself were branded Naxals. Following this article the college was forced to be closed for a week due to a bandh called by some of the students. There were posters which described me as a 'bloodthirsty man'. Well-known littérateur U. R. Ananthmurthy wrote an article which rebutted the main points saying that I was his student and that the accusations were nothing but slander which was carried by Vijay Karnataka. There was thus this opposition to me even before the recent incidents.

I have always spoken and written from various platforms and there never was a problem. It was only after the pub attack that it became an issue that I spoke from the college campus. On 28.01.09, there was a live panel discussion on NDTV and Vasanthi from NDTV told me to meet her in her office and I told

her that I could not as I had classes and asked her to come to the college instead. In this discussion in which many people participated in which I expressed my opinion condemning the attack, there was also a sound byte from a student who said that the organization which carried out the pub attacks should not be called Ram Sene but Ravana Sene.

Based on this one sound byte, the ABVP gave a bandh call in Mangalore University on 29.01.09. It was widely reported that I had called Ram Sene Ravana Sene. ABVP students barged into classes to enforce their bandh. The students were coerced into leaving the classes. To give you one example, in one class the teacher said that let's close the class and the girls in the class said that you can go but we will not go. So the class was continued.

In the interview with Vasanthi Hariprakash from NDTV, some of the boys said that they were against the pub attack. One girl said that she did not subscribe to pub culture but people have the right to go to pubs if they so choose. She also said that she was scared. After this she was mocked and silenced.

During the college bandh, there was a demand by a group of seventy to eighty people that I should be dismissed. They gave an ultimatum to the principal in spite of which no action was taken against me. It was then that the Minister in charge of Dakshina Kannada district, Krishna J Palemar at the head of a gang of students went to the principal's office and ordered him to give me a notice. He gave him ten days to solve the matter. For five days after that, there were college day activities and hence no classes.

On 4.02.09 I got a notice from the Principal in which I was asked to provide an explanation to the charge that I had spoken derogatorily about the Hindu religion on TV on 28.01.09, that without giving any complaint to the principal, I had spoken to the press saying that some students were threatening my life, and that using the excuse of freedom of speech and expression, I had given provocative speeches and addressed gatherings. All of these, according to the charge, disturbed the peaceful atmosphere of the college.

It was then that students who felt the action against me was unfair, headed by Manoj from the Student Federation of India (SFI), started a signature campaign. They had collected over 300 signatures and on 12.02.09 just as Manoj and his friends were going to submit the petition to the principal in the afternoon at 12.30-1.30 pm, over eighty students who were part of the ABVP, gathered outside the principal's chamber, mobbed Manoj and snatched the petition away. They also loudly shouted and abused me. It was really violent and scary and the principal was not there. There was a complaint to the police station after which the police came.

At around 4 pm. one of the students involved in the signature campaign, was alone in the library when this group decided to teach him a lesson and came to the library. Even as the student was facing a threat, the librarian asked them to leave the library as there was too much of noise. She called the principal who along with two other Sangh affiliated teachers came to the library and expressed their helplessness to the student and others to do anything. The student then called the police who came there and took away the students affiliated with the Akhila Bharatiya Vidyarthi Parishad (ABVP) who were threatening the student to the police station. The students were ostensibly 'warned' but what went on according to the students who complained was just friendly chatter." Though both incidents disclosed the commission of offences, the police choose to only file a Non Cognizable Report (NCR) after which the case is officially closed."

Interview with Students, Munir and Siraj (names changed) University College, Mangalore on 19.02.2009

"The MLA Kishore Palemar visited the college principal after the alleged statements by Prof. Pattabhi on the pub attacks. We heard that he threatened the Principal with an ultimatum that action be taken against Professor Pattabhi immediately on the complaint given by ABVP and Sri Rama Sene unions. After his visit, the attacks against us began to happen on a daily basis and even the Principal ignores them.

I along with some friends felt that we should support the campaign in favour of Professor Pattabhi Somayaji, who was targeted by ABVP for condemning the pub attack in the media. I along with Siraj, another Muslim student, began to collect signatures in the signature campaign from all students. Manoj, Secretary of Student Federation of India (SFI), started the campaign and I assisted in getting signatures. Over three hundred students had signed the protest letter. On the 4th day, I and Siraj were accosted by the Secretary of ABVP, who abused me saying only Muslim students have signed, even though many students had signed. He started threatening us, saying we will see you outside. They threatened me and Siraj outside the Principal's office and I complained to the principal, but he took no action. I registered a complaint with the Pandeswar Police Station. Next day, Siraj and I were in the library, when a gang of ABVP boys rushed in and began to beat Siraj. They came at me, but the librarian started yelling that both of us should go outside. We refused to go saying that the ABVP gang would attack us. I called the police on my mobile saying we were being attacked inside the college. When police arrived, the Principal also came but said "I can do nothing – I have no power to take action – only political power prevails."

The attackers included students from the ABVP union. We were spared that day only because the police arrived. However the police took both me and Siraj to the police station along with the four attackers from ABVP. There, we were told that the ABVP boys were warned, but the police seemed very friendly with the ABVP boys and we do not know whether they truly warned them. They took an undertaking from them that they would not resort to attacks against us.

“We have joined the SFI since last month, as we do not feel safe. ABVP has also issued a directive to the Principal, that girls coming to college should not be allowed to wear burkhas. They have threatened that if the girls wearing burkhas to college are not stopped, then all their members will start to wear “kesari” to college. The regular harassment is driving many Muslim students to drop out of college. The aim seems to be to prevent poor Muslim students from studying in college. Many of us cannot afford to go to a private college. I know of three Muslim students in B.Com Ist and IInd years who have left the college due to harassment. There must be more in other disciplines.

Muslim youth are largely unaware of how to complain and who to complain to. Some of the insults regularly hurled at us by the ABVP student leader and his gang are – “They have brought SFI in to the College. Let them come like dogs to college and go back like dogs without wagging their tails.”

2.3 *The Valentine Day’s Offensive*

The impunity with which the Sri Ram Sene was able to carry out the attack and the weak state response combined with the national spotlight being on the Sri Ram Sene seems to have emboldened the Sene Chief to initiate another offensive which was aimed at preventing the celebration of Valentine’s Day on February 14, 2009.

Addressing the Hindu Rashtra Sene (parent organization of Sri Ram Sene) Pramod Muthalik said: “The Sene plans to write letters to colleges, hotels and greeting card shops not to promote Valentine’s Day on their premises. Colleges should enforce strict action against students celebrating Valentine’s Day.” In a press conference, he announced: “Couples seen displaying affection in public would be whisked to a temple and married off; if a boy and girl seen together are found to be siblings, they would be made to exchange a rakhi, Sene activists will be accompanied by priests and, if any couple is seen in public, they would take them to the nearest temple and solemnize the wedding. We will also register the marriage in the nearest office of the marriage registrar,”

When Pramod Muthalik threatened to disrupt the Valentine’s day celebrations, he widened the ambit of the threat that he posed. What might previously have been

seen as an incident (horrific as it was) that was basically confined to Mangalore now became a state-wide threat. A message of fear was sought to be sent out across Karnataka that the Sri Ram Sene would function as a moral and cultural custodian of values, and would see to it that it would enforce its brand of Indian culture across Karnataka.

2.4 *Continuing Attacks with Renewed Impunity*

While, on the one hand, the Sangh Parivar in its public statements distanced itself from the Sri Ram Sene, on the other hand its affiliates saw no problem in brazenly intimidating and silencing all voices of opposition to the actions of the Sene. The State Government's apathetic attitude to taking action against those responsible for the pub attacks has sent out a clear message that the state, despite its protestations to the contrary, will not come down firmly on those who take the law into their own hands.

In the time period since the Mangalore pub attacks up to 25 February, 2009 there have been seven further incidents of cultural policing reported in the English press and a further seven incidents which have not been reported in the English press but have been covered by the local editions of the Kannada press.

To even see the pub attack as the starting point of vigilantism would be incorrect as the pub attack itself was preceded by a series of incidents of cultural policing. A survey of the English press from 2.09.08 to 25.02.09 shows that there were twenty two incidents of cultural policing reported from the Dakshina Kannada region. (See **Annexure III**) A survey of the local Kannada Press from 1.08.08 to 15.02.09 reveals that there were forty five incidents in which self-styled vigilante groups took the law into their own hands. (See **Annexure IV**) The pub attack is really a part of a larger series of assaults all of which are about policing the boundaries of appropriate behaviour for both men and women undertaken by self-styled vigilante groups.

To give a sampling of the kinds of incidents of cultural policing even before the pub incident:

1. *Sri Ram Sene activists attacked a dance class at Kundapur alleging that minor girls, wearing skimpy clothes, were performing vulgar dances. They also alleged that these dance class instructors took girl students out with boys for late night performances, traveling to various places. (Jaya Kirana, 24.1.09)*
2. *A Hindu boy from Udupi area took two of his Christian friends to Panambur beach in his Zen car supposedly 'to have fun'. After getting this information, Bajrang Dal activists stopped the car at the beach and found that there were Muslim boys with Hindu girls. They informed Kavur police who rushed to the spot and made inquiries. The students said that they had come to Mangalore for*

their studies and had stopped the car at the beach as the car had some problems. However the police said that there were no valid reasons for them to be there, and the girls were warned and sent back to their parents. (22.01.09, Jaya Kirana)

3. *Sri Ram Sene activists attacked St Ligeria Higher Primary School for distributing Bibles to the students. There are both Hindu and Christian students in the school, and one of the teachers had distributed copies of the New Testament to students and asked them to read it saying that he would later ask them questions about it. Getting to know of this, Sri Ram Sene raided the school, warning them not to repeat such things. They planned to distribute Bhagavad Gita to the students. (Jaya Kirana, 3.1.09)*
4. *Bajrang Dal activists claim they, 'saved' a girl from being kidnapped and cheated. They allege that Ubez, a sales man working in a Mother India Masala factory at Honnavara, was in love with Sandhya and that she was not interested in him and had rejected his proposal. They allege that he managed to lure her to Mangalore. Bajrang Dal activists say that they spotted them in a KSRTC bus and took away the girl and handed over the boy to police custody. (Jaya Kirana, 23.12.08)*
5. *Bajrang Dal activists alleged that two girls who ran away from home were being taken to Kolar by a boy from Ujre for immoral activities. They say that when they spoke to the girls who were waiting for this boy at Dharmastala, the girls supposedly said that the boy was their relative. Later the Bajrang Dal activists followed the boy to Ujre who fled realizing he was being watched. They then took the girls who were waiting for the boy near Ujre bus stand to Belthangadi police station. (Jaya Kirana, 7.12.08)*
6. *Ameen of Kokkada and a Hindu girl from Moodbidri were found near Dharmastala by Bajrang Dal activists. They allege that they were in love and after coming to know of this the activists questioned them. They were later taken to Belthangadi police station for inquiry. (Jaya Kirana, 23.11.08)*
7. *Sri Ram Sene attacked Miss Femina contest at Bharat Mall in Mangalore. A selection for participants from Mangalore for the contest was being held. A Sene activist said that, some people after seeing girls doing cat walks in 'skimpy' dresses, informed them. The police came to the spot and Sri Ram Sene left the place only after all the photos of the participants taken in the camera of the organizers were deleted. (Jaya Kirana, 26.11.08)*
8. *A group of boys (two Hindu and one Muslim) studying in Sulya college took Radhika on their bikes to Puttur where a Bajrang Dal activist stopped them and questioned them. The boys fled leaving Radhika behind. The activist took Radhika*

to the police station and she was sent back after being warned. (Jaya Kirana, 7.11.08)

9. *Ashraf and a Hindu girl visited the room of Santosh who runs an organization called Star Friends. A Bajrang Dal activist alleged that they were having fun' and when people found out the police were informed. They were taken to the police station where they were handed over to their parents after counseling them. The office of Star Friends has been locked up. (Jaya Kirana, 11.11.08)*
10. *Two Muslim boys and Hindu girls were found at a hotel near Jyothi cinema drinking beer. It is reported that someone, who overheard one of the girls saying on her mobile phone that she was at a friend's place, informed Bajrang Dal. The police came to the spot and took the boys and girls to the police station. (Jaya Kirana, 7.11.08)*
11. *Three Hindu girl students were drinking juice with Zaheer Abbas, when a group of Bajrang Dal activists attacked them and beat up the boy. They then handed him to police custody. Police warned them and sent them back. One of the girls was warned by Bajrang Dal for her immoral behaviour. (Jaya Kirana 6.10.08)*
12. *Three boys and two girls (all Hindus), who were going to their friend's house for Ramzan lunch at Machi village, were stopped by Bajrang Dal activists who got this information from some localite. (Jaya Kirana, 2.10.08)*
13. *Sudhakar, a student of Mangalore university, bought a Muslim girl Raila, who was his neighbor for entrance exams at the university. He was severely beaten up by Muslim youth. He was stopped at the bus stand, dragged out of the bus and beaten. (Jaya Kirana, 13.09.08)*
14. *Bajrang Dal activists attacks two Hindu boys and a Muslim boy (son of an ex police officer) together, with the daughter of a bank officer at a West Side Inn room. A Bajrang Dal activist alleged that they were found 'having fun'. The police also came to the spot and beat the boys up and took them into custody. (Jaya Kirana, 2.09.08)*
15. *A Hindu girl was attacked by a Bajrang Dal activist on suspicion of carrying out immoral activities with a Muslim family. She was seen regularly visiting the Muslim house in that village. She has been returned to her parents. (Jaya Kirana, 2.09.08)*
16. *Bashir of Kasaba village was seen with Nandita of Nalli Gudde at a hill next to pre university college at Vithala. A local group called Vithala Friends Group said that they questioned Bashir about this. The group said that they then requested the owner of PBA Earth Movers, where Nandita worked, to dismiss her from her work. Later they handed over Bashir and Nandita to the police, who took a*

written apology and sent them back. The group says that there were immoral activities happening at the hill at Vithala and the local people have expressed their disgust about it. (Jaya Kirana, 2.09.08)

17. *Social Action Centre (SAC) a Christian organization joined hands to attack a Muslim boy seen with a Christian girl. They both were beaten and taken to the police. It is said that SAC began when a Christian housewife was taken away by a Karnataka Forum for Dignity (KFD) member in order to convert her to Islam. Thus SAC decided to be moral police for their community and stop conversions. (Jaya Kirana, 1.09.08)*

The fact that there were at least ten reported incidents of cultural policing even after the attack on women in Amnesia highlights the continuing impunity which vigilante groups enjoy.

1. *Speaking to The Hindu, Hameed said that he had organized a small “get-together” for friends. “Suddenly, five men armed with clubs and knives barged into the house and attacked us, the leader of the gang was repeatedly telling his followers to kill us,” he said. Despite the convener of Sri Ram Sene, Madhu Urwastore, claiming responsibility for this incident where a house was raided and its occupants grievously injured, the police have not made any arrests. (The Hindu , 27.01.09)*
2. *Hindu Jagaran Vedike and Bajrang Dal have instigated students to protest Muslim girls wearing burkha to the college, thus creating communal tension in the college. In one of the incidents where a Muslim boy supposedly proposed to a Hindu girl, he was attacked by these groups. The college principal called for a parents’ meeting to resolve the tension. That meeting was also attended by Taluk members and gram panchayat president Rafiq. The two groups mentioned above tried to enter the meeting but they were asked to stay out. After the meeting, Rafiq and Muslim students were attacked by Hindutva activists who were shouting slogans outside. (Vartha Bharathi, 30.1.09)*
3. *UBMS primary higher school planned to celebrate their annual day by staging a Yakshagana performance on Jesus which was directed by a Hindu and enacted by Hindu students. Though the parents of these children had no problem, some of the management members of the school as well as some local politicians objected to this and forced the school to cancel the annual day celebrations. (Jaya Kirana 30.01.09)*
4. *Albert D’Souza, a truck driver, told The Hindu that he had parked his jeep in front of the bar and gone away for a little while. “When I returned I saw a few people breaking the windscreen of my jeep and desecrating the religious stickers pasted on it,” he said. When he questioned them, the vandals attacked him with*

iron rods and other lethal weapons. D'Souza believes that he was attacked out of pure malice. "They obviously attacked me because of my community," he said. (*The Hindu* , 4.02.09)

5. *Shruthi, daughter of Manjeswaram CPM legislator C H Kunhabbu, was travelling in a Kasargod-Mangalore bus around 4.30 pm when she met her friend's brother Shabeeb. As Shruthi and Shabeeb were sitting together in the bus, someone allegedly informed the Hindu groups in Mangalore. When the bus reached Pumpwell near the city, four youths boarded the bus. They stopped the bus about 200 metres before the next stop (Kankanady), dragged Shruthi and Shabeeb out of the bus and bundled them into an auto rickshaw which was reportedly waiting for them. They took Shruthi and Shabeeb to a house somewhere near Padil and reportedly beat them up. Around 6 pm, Shruthi was released. She took an auto rickshaw and went to the house of her father's friend in Bejai and informed Kunhabbu. Shabeeb was released only at night, it is learnt. (Deccan Herald, 7.02.09)*
6. *A 15-year-old schoolgirl hanged herself to death at Mulky in Dakshina Kannada after being publicly humiliated by a suspected Hindutva fringe group, according to eyewitness accounts. Superintendent of Police N. Satish Kumar, however, denied the involvement of any group in her death. According to Rafiq, a helper in a bus, the victim and another girl boarded the bus at Kinnigoli village at 12 noon on Tuesday. The girls, both students of the Aikala PU College, got off at Moodbidri along with Abdul Salim, with whom one of the girls was friendly. As they were walking towards Venoor, a group of suspected Hindutva youths allegedly accosted them. The girls were berated for being friendly with someone from another religion and all the three were beaten up. The bus, on its return journey, was stopped by another group that dragged Rafiq out and thrashed him. He was taken to the place where Salim and the girls were held. The captors then called Moodbidri SI Bharathi G., who took the four to the police station. The parents of one of the girls were summoned and Salim was allegedly forced to write a letter of apology. The girl and her family were said to have been humiliated at the station by a mob. The next morning, the girl committed suicide. After her death, Salim was arrested following a complaint by her father of rape and abetting in the suicide of a minor. (The Hindu, 12.02.09) (The matter has now been referred to a Corps of Detectives (COD) inquiry)*
7. *A group of students from an engineering college were travelling from Mangalore to Bangalore in a private bus to participate in an inter-collegiate competition. They were stopped at A B Shetty Circle by a group of activists from a Hindutva organization, were threatened, and asked to go back home. In spite of Pandeshwara police and parents of those students coming to the spot to stop them, they said they*

would attack the bus at any point if it leaves Mangalore with these students. The students all went back to their homes. (*Karavali Ale*, 14.2.09)

8. Eight year old Zariq returning home from madrassa in the night was attacked by a communal group for wearing the Muslim cap. The group came in a car and attacked the boy on the street. The Ullal police refused to take the complaint and finally Ullal MLA UT Khadar had to call the police to take the complaint. (*Karavali Ale*, 15.02.09)
9. There was an attack on two teenage boys who are members of the Students Islamic Organization (SIO) by a mob of thirty Hindutva activists for pasting posters near the Vivekananda Engineering College in Puttur town. The victims were aged 15 and 17 and one of them has suffered a partial loss of sight. A case was registered under the Karnataka Open Place (Prevention of Disfigurement) Act 1981 against the two boys. The Circle Inspector Srikanth said that 'the boys were assaulted by hand and such offences are non-cognizable.' and hence no case was registered against the attackers. (*The Hindu*, 26.02.09)
10. At 6.45 pm on 25.02.09, Anishwita (23), Akeel Mohammad (24) and Pramilla (22) were conversing at the Juice Junction in Balmatta when five persons began harassing them. Soon a large crowd gathered around them. Luckily a police patrol on duty came by that area and prevented any further incident. An FIR has been lodged in the Mangalore East Police Station. (*The Hindu*, 26.02.09)

The cultural policing as described above covers a wide gamut of behaviour, right from going to dance classes to picnics to talking to boys and girls from different religions to love between boys and girls from different religions.

The Fact Finding Team contacted a girl who was assaulted by Bajrang Dal activists when she was out with three friends, one of whom happened to be Muslim. Even though she has shifted to Bangalore, the incident had scarred her so deeply that she refused to talk or even write to us about what happened. Similarly, a media contact told us that when he tried to get in touch with one of the victims of these attacks, she threatened to commit suicide if he called her again.

The difficulty itself points to the continuing atmosphere of fear and intimidation prevailing in Dakshina Kannada district as well as the long term impact of being so brutally assaulted. It must be noted that most of those who were assaulted were just ordinary people going about their normal business of life when they were accosted so violently. There is a wide-ranging intimidation and pervasive threat of violence that made it difficult for our team to actually meet and talk to many of those who were so seriously affected by these incidents of cultural policing. We did however speak to two people, one of whom was in a bus carrying students on a picnic which

was stoned and another of whom was an activist who was involved in the legal follow up of an attack on a sixteen year old Muslim school boy.

Interview with Swaroopa Shetty, Principal, Matha Educational Trust, PU College (20.02.09)

“Our institution is one where there are both boys and girls from different communities studying together. We had decided to go on a picnic in which around seven staff, the Managing Director along with his family and students were together. There were only four girls in this group of forty of us who were going to Wonderla. Actually, the bus we were supposed to go by was cancelled and we booked another bus.

We left the area around 10.20 pm and before we knew it the bus was stopped and surrounded by around eight to ten people who used iron rods and sticks and started breaking the glass of the bus. It was a very scary experience as those people kept shouting bad words in Kannada at us. We don't know why they attacked us as we were not doing anything wrong. At the least they could have come inside the bus and found out what was going on before attacking us like that. There was glass flying all over and luckily nobody was injured in this attack.

There was no intimation from anyone so we don't know who did it and why they did it. We complained to the Mangalore rural police and the police later on told us that they had arrested a few people in connection with this attack.

This attack has meant that as far as we are concerned we are not taking our students on any more trips. We cannot take a risk with student lives. This attack and the incidents which have been happening have also made Mangalore much more unsafe. I don't believe that the police will find out who was behind the attacks and we just have take care of ourselves. In fact I don't think it is safe any more.”

Interview with Shekhar L., Activist with Democratic Youth Federation of India DYFI (Phone interview on 24.02.09)

Assault of a Sixteen year Old Muslim Boy

“Shefantunde, a sixteen year old II PU student of SDM College, was returning home by a KSRTC bus to his village (Navarooru Grama) in Belthangadi. Suddenly, the bus was stopped and some 18-20 people got on, dragged him down and beat him up. They tore his clothes and severely hit him with their hands. One of the leaders of the attack was Shyamsunder, a taluk Sanchalak of the

Hindu Jagran Vedike, who assaulted the boy on the grounds that he was teasing a Hindu girl. Shyamsunder has had other communal cases booked against him before this case. When we got to know of this, DM Bhat and Shivkumar, both of whom are lawyers and leaders of the CPM, along with myself went to the place and then spoke to the Inspector. Based upon our complaint and insistence, an FIR was filed. The police filed an FIR and registered a case 45/2009 and booked sections 323, 341 and 504 of the IPC against Shyam Sunder and what the FIR described as an unknown group. However Shyam Sunder was given bail in the station itself on the basis that the Criminal Procedure Code (Cr. P. C.) amendments mandated that nobody can be arrested for an offence where punishment is less than seven years. If Shyamsunder's allegation is that Shefantunde was speaking to a Hindu girl or even teasing a Hindu girl, our point in the press conference was: why is the Hindu girl not giving a complaint? Who is the Hindu Jagran Vedike to take this kind of action? Let the girl come forward and put forward what her complaint is. We don't know who this girl is as yet. I have a friend in the police station who says that the girl says that nothing has happened.

The boy himself is really young and very scared after this incident as he was beaten severely in public. What Renuka Choudhary said is true, there is a Talibanization of Dakshina Kannada.”

Other Incidents since 2005 which Shekar Detailed:

- *The Hindu Jagran Vedike has been active from around 2005. In 2005 in one incident, it was found out that two boys aged 18 and 20 came to get a buffalo. Using the threat of attack on the religion, the two boys were beaten up, and their mobile phones were stolen from them. In this case three people were arrested. However when they came out on bail, the then BJP MLA Prakash Bandigere on their release did a procession with them and gave them 'Hindutva deeksha'. Within one month these same boys raped a Dalit girl.*
- *In another incident the Hindu Jagran Vedike has displayed its Om flag on all parts of the road side. When it was opposed and a complaint was filed with the Public Works Department, Mamta and Manjula, the two girls who complained, were hit on the chest. An FIR was lodged in this incident as well.*
- *In another incident four girls went to Madikere from a village in Belthangadi to look for work and being unsuccessful were returning home. They took a drop in a Sumo from a Muslim boy who also lived in their locality, considering that no other transport was available then. The boy was beaten and the girls were in the custody of these Hindutva activists who stopped the vehicle till the parents were informed and took the girls back.*

- *In the First Grade College at Belthangadi four years back, the organizations doing social policing had laid down that Hindu girls could only talk to Hindu girls and Muslim girls to Muslim girls. There was no question of Hindu girls talking to Muslim boys. Boys and girls who opposed this arrangement were beaten up by Hindu Jagran Vedike activists. This was four years ago*
- *A student called Shabir spoke to his classmate who happened to be a Hindu girl and he was beaten and his bike was broken.*
- *When boys and girls have been eating ice cream, they have been beaten.*
- *There was also a notice a few years ago distributed in this taluk asking people not to buy or sell things to Muslims and to boycott them, socially and economically.*
- *You must have seen ditches on the side of the road where dirty water collects. When Muslim drivers have by mistake splashed the water on passersby who happen to be Hindu, then they have been beaten.*
- *There have been innumerable incidents like this in the last four years.*

The organizations which are involved in this form of cultural policing are the Hindu Jagran Vedike, Bajrang Dal, Vishwa Hindu Parishad, Hindu Jagran Samithi and Hindu Seva Samithi (only in Belthangadi)

Understanding Cultural Policing in Dakshina Kannada

3.1 Strategy of Cultural Policing

Numerous questions emerge in the context of the series of incidents outlined above. Firstly, there is the question of how is it done. How does anyone know that a boy and girl from different religions are sitting together on a bus, or for that matter are drinking juice in a restaurant? How does anyone know that a boy and girl from different communities are interacting? The way this works is that the various vigilante groups in Mangalore have formed an extensive intelligence network involving bus conductors, time keepers and bus cleaners in all private buses who pass information on to the Bajrang Dal cadres who then take action. As one student affiliated to the Student Federation of India (SFI) revealed: “The Sri Rama Sene has been using a wide network of time-keepers and cleaners in the city buses to spy on the girls and boys who move together. Sometimes, even if a girl smiles at a boy, the gang of Sri Rama Sene waits at the destination, to bash up both of them and take them to the nearest police station. Police are powerless against political pressure. Students are scared to even look at each other in the bus. Many time-keepers and cleaners have got their jobs with the help of Sri Rama Sene and are loyal to them. They are also paid some amount for each bus by the Sene.”

Similarly, there are other sources that observe or are present in public places like restaurants or hotels or parks and are able to spot and report on social interactions which they perceive as transgressing the moral code. All this speaks of a very effective information system percolating down to the level of all public places, including transportation systems, bus stands, restaurants and hotels.

This level of social surveillance that gets converted into a daily vigilantism is truly frightening in its implications. Human rights groups often use the analogy of the state functioning as an Orwellian Big Brother. Dakshina Kannada seems to have reversed the scenario of the state being big brother with society itself becoming Big Brother.

How does anyone know that a boy and girl from different religions are sitting together on a bus, or for that matter are drinking juice in a restaurant? How does anyone know that a boy and girl from different communities are interacting?

3.2 Role of Organizations Professing Hindutva

The fact that transgressions of moral codes are noticed and observed by local society is inevitable in any local context. What is different in the contemporary Dakshina Kannada context is that these transgressions are not just tacitly observed but reported to groups who then take action to 'punish' the transgressors. The significant factor responsible for cultural policing in Dakshina Kannada is the unhindered presence of groups such as the Bajrang Dal and the many other Hindu vigilante groups which openly state that they will not tolerate violations of what they perceive to be the moral code.

To quote some of the statements to the media by some of these groups in the context of cultural policing:

1. *The Bajrang Dal has claimed responsibility for several of these incidents. The district head of the organization, Sudarshan Moodabidri, claimed that the outfit had "solved" over 200 cases in the last two months where Hindus were "caught" committing the "immoral" act of interacting with members of other communities. Mr. Moodabidri said, "Sometimes it becomes necessary to use force. Fear of such action should deter such misadventures. Girls reform themselves once they are thrashed and humiliated in public, but boys are tougher to control." (The Hindu, 7.09.08)*
2. *Sudharshan Moodabidri, told The Hindu, "Sometimes our boys cannot control their emotions and take it upon themselves to provide instant justice. But we are a law-abiding organization. As far as possible, we take the errant couple to the police and let law take its course." (The Hindu, 9.09.08)*
3. *Sharan Pumpwell, president of the city unit of the Bajrang Dal, claimed that the attack on the bus was based on a tip off by one of the students who was also part of the excursion. "Our boy informed us that several Hindu girls were travelling in the bus which also had Muslim and Christian boys," he said. When contacted by The Hindu, said: "It is a natural reaction from us against those who dare to commit moral violations." (The Hindu, 09.09.08)*
4. *A salesman working with a countrywide mobile service providing company was attacked allegedly by Bajrang Dal activists. Officials of the Kadri police station said that no case had been registered in connection with this incident as the two parties had agreed to "compromise". They said that the salesman was badly hurt, but was out of danger. Explaining the reasons behind the attack on the salesman, Pumpwell said that the salesman had "dared to gain the affection of a Hindu girl". (The Hindu, 09.09.08)*

5. *Despite the convener of Sri Ram Sene, Madhu Urwastore, claiming responsibility for the incident where a private house party was raided and its occupants grievously injured, the police have not made any arrests. "We are still investigating the incident," said R. Dileep, the Additional Superintendent of Police. (The Hindu, 26.01.09)*
6. *Claiming responsibility for the pub attack, Prasad Attavar, State deputy convener of the Sri Ram Sene, told The Hindu that it was a "spontaneous reaction against women who flouted traditional Indian norms of decency". He said these women were Hindus who "dared to get close to Muslim men." Kumar Malemar, district convener of the Sene challenged the Bajrang Dal's claim and insisted that the attack (on the pub) was carried out by his outfit. (The Hindu 25.01.09)*

The fact that the Bajrang Dal has been taking law into their own hands is even acknowledged by Satish Kumar, the then Superintendent of Police of Dakshina Kannada district. In an interview with the Fact Finding Team, he said: 'For the past ten years it's the writ of the Bajrang Dal which is running. To prevent this society must come forward and participate in the legal process.'

In many cases the organizations involved such as the Bajrang Dal and the Sri Ram Sene have claimed responsibility for attacks which are clearly offences under the Indian Penal Code of criminal intimidation (Section 506 IPC), outraging the modesty of a woman (Section 354 IPC) and causing hurt (Section 323 IPC). The fact that they continue to enjoy impunity for committing offences under the IPC merely because they have adopted the garb of 'custodians of culture' has emboldened many others to form more vigilante groups. One is compelled to recognize the existence of not only the Vishwa Hindu Parishad and the Bajrang Dal, but also that of the Sri Ram Sene, the Hindu Jagran Vedike and the Hindu Jagran Samithi. There are also local organizations such as the Hindu Seva Samithi which is present only in Belthangadi as well as Vithala Friends Group present only in Vithala.

As one observer, who has been covering the events in Dakshina Kannada, put it, "Today saffron is the colour of power. You just walk around with a big red tilak and see how people treat you. Right from the shop keeper to the bus conductor to the policeman, everybody gives you respect. Without the tilak you are nothing, with the tilak you become a power structure." Munir Kattipalya of the DYFI echoes this sentiment when he says, "This district is not only communalized but also progressively criminalized."

What is indicated by such statements is that there is a strong link between communalization and criminalization. It is precisely because the state has chosen not to act when criminal activities are perpetrated under the garb of religion that criminal elements now feel that they have the sanction to perpetrate violence and

other forms of intimidation by using the garb of religion. This possibly explains the proliferation of vigilante groups in Dakshina Kannada.

This is also acknowledged by the Superintendent of Police (SP) who gave the example of the bus carrying students of the Matha Educational Trust Bus being stoned. In his opinion it was, “a disgruntled employee who got together a band of people to attack the bus. A criminal action was given a political colour. In another case a Muslim manager using his influence got a married girl a job as secretary. It was then found that he misbehaved with her. The girl told her husband and brought 3-4 people to beat him up. Now the Muslim man does not want to complain as he feels that this entire story of harassment will come out. Rowdyism is given a political colour.”

This state inaction also progressively emboldens the vigilante groups to widen the circle of criminal activities. According to journalist Sanjana: “On 23 April, 2008, at the Nehru Maidan in the heart of Mangalore, the Hindu Janajagrithi Samithi and Sri Ram Sene held a meeting with restricted access. The venue was cordoned off and non Hindus were not allowed, though Hindu journalists were allowed. Three things which they did in this meeting were a display of rifles, air guns and pistols, a photo exhibit of Hindu victims of ‘terrorism’ like Godhra and the Kashmir Pandits issue and also undertook a recruitment drive. Such Dharma Jagruthi Sabhas have been held in Goa, Karnataka, Andhra Pradesh, Pune etc. BJP MLA’s like C.T. Ravi and Leila Devi have attended these programmes. There is a connection between these various groups.” When another source who did not wish to be named, asked whether arms training could be done, they said, ‘Of course, no problem.’ When A.M. Prasad, the Inspector General of Police, was asked about this particular arms exhibition by the same source, he said nothing like that had happened in Mangalore. As the person put it, ‘I was incredulous as this was happening in the heart of the city.’

In the opinion of journalist Sanjana, there are close links between organizations such as Sanathan Sanstha, six of whose activists were arrested in connection with the Malegaon blasts, and activists or organizations such as Hindu Jagran Vedike and Sri Ram Sene. In her words, “We are witnessing the next stage of radicalization of right wing organizations with the formation of Sanathan Sanstha, Abhinav Bharat, Hindu Jana Jagran Samithi and Sri Ram Sene all of which have affinities with each other. It is also clear that the BJP for political gain wants to maintain a distance from these organizations. It is a tenuous tension-filled relationship.”

3.3 Role of the Police

The police in Dakshina Kannada inspire little confidence. There is a widespread perception that the police are indeed part of the problem. Pattabhi Somayaji was categorical in his opinion that the police had played a shoddy role. He said that he was part of a group which prepared a report on the communal riots in 2006. "At midnight, 12.30 am, police barged into Muslim houses and beat up people including women. This was in Ullal, Hudinballie and parts of Mangalore as well. In the recent attacks on churches, police desecrated images and smashed glasses." He also said that the reported statement by the Superintendent of Police that if we arrest these people responsible for harassing and abusing Ashwini, there will be a riot is also indicative of the mindset.'

With respect to cultural policing in particular, which often involves the commission of offences such as criminal intimidation, causing hurt, and outraging the modesty of a woman, the response of senior police officers has been grossly inadequate. To quote some of these statements:

- *Reacting to the incident of a nun being criminally intimidated and abused for the 'crime' of speaking to her maid who happened to be Hindu, the Inspector-General of Police (Western Range) A.M. Prasad said that his department was "closely monitoring incidents with communal overtones". However, he said that the people who ill-treated the nun could not be booked under the law. Since they alleged that the nun was involved in an act of forcible conversion, their legal locus standi was sound. (The Hindu, 27.11.08)*
- *When confronted by the failure of the District Administration to take action against self-styled vigilante groups that have violated the criminal law with such impunity, the Inspector-General of Police (Western Range) A.M. Prasad said that there was no provision under the Code of Criminal Procedure (Cr.P.C) to book cases against the vigilantes. These groups targeted people for committing "supposed moral violations" such as interacting or falling in love with people from other religious faiths or trying to proselytize someone. Of late, these groups had begun to bring their victims to the police station demanding that they be booked for their "crimes". "Everyone has the right to complain to the police when they think that someone has violated the law," Mr. Prasad said. (The Hindu , 29.11.08)*
- *In an interview with the Fact Finding Team, Satish Kumar, the then Superintendent of Police (SP), said that the police had issued strong instructions to the Bajrang Dal that they must not take the law into their own hands but must produce the 'offenders' before us. He stated that these instructions were being adhered to. Referring to the case of the fifteen-year old girl who committed suicide, he commended*

the Bajrang Dal's action of taking the girl to the police station. In his words, "So in this case they even thought of the police station which had women constables and took the offenders and victim there. That shows that there was also some application of mind."

Mr. Prasad's statement that 'everyone has the right to complain to the police when they think that someone has violated the law', willfully ignores the fact that it is the complainants who are violating not only the criminal law but basic safeguards of the Constitution of India by policing behaviour and action which come within the ambit of Constitutional protection. The offences committed by these self styled vigilantes needs to be taken seriously. Inevitably, before they hand over to the police those they see as immoral, there is usually loud, aggressive and insulting speech, physical aggression and every attempt to expose the persons to a demeaning public gaze and censure. If those who are victimized by these actions attempt to speak back, then events take on a more violent turn. Such speech is inevitably answered by intimidatory gestures, beating, assaults and even sexual abuse. None of these gestures are deemed actionable by the police who seem to treat those who file the complaint as beyond reproach. When Mr. A.M Prasad blithely asserts that, "their legal locus standi was sound", he is ignoring both the criminal law dimension of cultural policing as well as the far more significant Constitutional law dimension of the right to privacy, the right to intimate association and the right to freedom of expression. None of these rights can be made hostage to vigilante action on the pretext that, 'their legal locus standi was sound'.

The Superintendent of Police's appreciation for the law-abiding behavior of the Bajrang Dal is mirrored by the appreciation of the police by cadres of the Sri Ram Sene. In an interview with the Fact Finding Team, they said that, "With respect to our relationship with the police, we have a very good relationship. We understand that they have to do their duty as well. They have never beaten us or behaved badly with us."

The Superintendent of Police's statement of appreciation for the Bajrang Dal for not taking the law into their own hands but rather producing the victims before the police, also willfully ignores the fact that cultural policing by the Bajrang Dal is not an innocent act. It necessarily involves the commission of various offences possibly ranging from wrongful confinement to criminal intimidation to causing of simple hurt. It is the role of the police to inquire into how groups which claim to enforce morality violate the law. Surely the police cannot be complicit in the violation of law to enforce morality. Such a situation is the very antithesis of a secular and democratic state committed to rule of law.

3.4 Role of the Media

The role of the regional press and its complicity in issues of cultural policing has also come in for sustained criticism. The regional press has played a key role in fomenting communal hatred through its often biased and one sided reporting. For example, the Gujarati press played no small role in inciting the massacres that were to follow the Godhra train incident through its mischievous and distorted reporting. Similarly large sections of the regional press in Dakshina Kannada are complicit in cultural policing through their one sided reporting.

When we analyzed the news reports from the Kannada press, particularly from Jaya Kirana, what is clear was that the newspapers implicitly supported cultural policing though they were ostensibly only reporting on the incidents. Jaya Kirana is one of the newspapers that has extensively covered incidents of communal tensions in Dakshina Kannada. The language of the news reports—for example, the use of phrases such as “the boy and girl were caught engaging in immoral activities,” “they were caught engaging in pleasurable activities” as well as the use of Kannada words such as *rasa leele*, *maja udayisalu banda*, *chakkanda aaduthiida*—imparts a tone of moral censure as well as a certain prurience to what we might otherwise see as an exercise of fundamental rights. The reports, especially the ones on the young boys and girls from Hindu and Muslim communities interacting with each other, are highly moralistic and severely judgmental in their import. For example, here is how Jaya Kirana reports the incident of a Muslim boy and a Hindu girl found together at Dharmastala:

“Immature hearts are misled by such romantic relationships. Though there are so many reports of tension and violence between couples from different communities, the fact that these instances of romances between two communities are increasing is such a paradox.” (‘Student Love—Love that reached the pilgrimage’, Jaya Kirana , 23.11.08)

Many such examples of reports can be found. The reports do not just ‘report’ the incident but also tell the reader who is correct and who is wrong in the incident. A report on a Christian group which has taken up cultural policing of the people from their own community reads:

“Similar to Bajrang Dal in Mangalore, which is trying to stop Hindu girls falling into the trap of boys from ‘another community’, a Christian organization has now begun its work. They do all the things Bajrang Dal is doing except taking up issue of cow slaughter, and they will take the legal path to achieve their goal.....SAC (Social Action Centre) began one and a half years ago when KFD tried to convert a Christian housewife to Islam.SAC will function like a moral and cultural police for the Christian community and bring girls of Christian community back to track when they are misled by love romances, or by boys of

another community.” (*New Christian organization to protect young Christian women who lose track*’ Jaya Kirana, 1.9.08) The heading of the report shows clearly how cultural policing is justified by this newspaper.

Another type of incident where moralistic notions seep into reporting has to do with the series of attacks by Sri Ram Sene on Miss Femina Beauty contest, on dance schools classes teaching western or Bollywood dance, and discotheques in Mangalore. The report, ‘*Sri Ram Sene attacks Miss Femina*’ reads:

“The public in many instances have objected to these shows as these shows make adolescent girls exhibit their body. But the tragedy is that parents themselves bring these girls to participate in these shows. There were photographers who were taking vulgar photographs of these girls dressed in a minimum amount of clothing. What is surprising is that the organizers seem have known about the objections raised about these shows and were expecting trouble and thus had made all arrangements for these girls to escape from another door when the attacks took place. So when Ram Sene attacked the show, the girls quickly wore proper clothes and escaped.” (Jaya Kirana, 26.11.08)

Here is a report on the attack on a dance class at Kundapur:

“Many high school girls in Kundapur are getting attracted to these dance classes. It is said that these girls give vulgar dance performances dressed in skimpy clothes in any place one asks for. Added to this, they travel with boys at night to various places to give performances and this has also enraged many people. Though parents were warned not to send their girls to the classes, things did not change. That is what led Sri Rama Sene to attack these classes.” (Jaya Kirana, 24.1.09)

The report also has a box item titled ‘*Dance classes that mislead*’ which talks about how girls are destroying their lives by taking up these classes as they end up being sexually abused, fall in love and nurture illusions of a future world.

All these reports are loaded with words such as ‘*vulgar*’, ‘*immoral*’, ‘*skimpy dresses*’, ‘*having fun*’, ‘*trapping girls*’, which derive from regressive notions of sexual, caste and racial purity.

Jaya Kirana has also covered many incidents of alleged conversions in Christian institution where Bajrang Dal has attacked nuns or priests allegedly attempting to convert Hindus. These reports give very little space to the version of the person who is getting converted; most of the space in the report is devoted to the allegations by the Bajrang Dal rather than the supposed victim of conversion found in the company of these nuns or priests. One is left wondering as to why the victim was with a nun, and their statements seem to suggest something else, which is never delved into in the report. For example, a report in Jaya Kirana entitled ‘*Conversion-sister in police trap*’ reads:

“Anjali (19) is from Bhadravathi and was working at the Velency’s Sacred Heart Convent for many years. She was converted to Christianity and she was wearing a pendent with a cross round her neck. They wanted to convert her sister Anusha as well and got her to the town with the help of her sister.....Sister and Anjali were waiting near the bus stop for Anusha. Getting proper information on this, Bajrang Dal caught hold of them at the bus stand.” (25.22.08)

The above report is titled ‘Sister in police trap’, but the report reveals that it was the Bajrang Dal that caught her and took her to the police. In many of the incidents, the reports mention that the police warned and advised the people who were targeted in the incidents, forcibly obtained a written statement from them not to repeat such actions again. The problematic role of the police in such cases is glaring, and escapes the attention of the local media. Equally, the fact that the reports cite only Hindutva activists without bothering to ascertain the truth of what happened by either speaking to the victims or passers-by indicates a clear bias of the local media. The fact that there is no space for expression of any other opinion in this one-sided reporting corroborates the opinion of Pattabhi Somayaji that the local papers are nothing but a mouthpiece of the Sangh Parivar.

Interview with Pattabhi Somayaji

“The media has also played a very shoddy role. They are hand in glove with the Sangh Parivar. They not only promote but also organize campaigns of hate. Vijay Karnataka and Uday Vani are particularly egregious violators. They refer to Muslims as ‘Anyamatiyobba’ (one belongs to another faith) I will give you two examples. Two to three years ago, Sari Palace, which was owned by Muslims and had Hindu workers, all of them used to go on a picnic together. When they started on the picnic, the bus was stopped in the Pumpwell area and people were robbed, beaten up and shooed away. The next day Uday Vani reported this, and though the bus had its name Sharada Travels in large, the computer-generated image published by Uday Vani somehow managed to remove the name Sharada from the picture even when the picture of the bus was shown so that nobody would know that a bus having a Hindu name was stoned.

After the stripping of Hajappa and Hasannappa, there were huge protests of 8000-10000 people. There was a rally of over 8000 people in Udupi. Udayvani carried a picture of people waving green flags which are normally seen on top of mosques with a caption below which said, ‘This is not Pakistan but Udupi’. A senior activist Sri Ram Diwan went to Udayvani and asked for an explanation by telling them that this was not a Pakistan flag. For the first time, Udayvani

apologized and said that they will not report this again. Since then Udayvani does not carry any report on the communal issue when we do any activity.

As far as the pub incident was concerned it was literally the camera man saying action when the incident started. As far as the younger generation is concerned, this is the knowledge and the truth that they get. Youngsters are fed on this.”

3.5 Role of the Public

While we earlier delineated how cultural policing works and how it relies upon a network of surveillance based in society, what has also to be mentioned is the role of the wider society which is not directly involved in these attacks.

In the opinion of Munir Kattipalya, “Though there is clear communal mindset among common people, through experience people know that groups like the Bajrang Dal and the Sri Ram Sene are only out for political gain. I would say that the communalizing effort has been ongoing for the last twenty years. Previously there would be 500 to 1000 people out on the streets to protect their culture and their religion by preventing the transport of cows for slaughter. Now only 5-10 people will come out.”

Similarly, another observer of the Dakshina Kannada scene notes: “Their support is not that great. How many people are involved in these incidents? Not a large number, the vast majority of people do not actively participate in these incidents.”

Yet, regardless of the limited support these groups enjoy from the people, what is apparent in terms of the attitude of the larger public is an unwillingness to get involved even when blatantly unconstitutional actions are being perpetrated.

As cultural critic Dr. Lata Mani observes, “When people fail to mobilize and stand up to fascist forces it is not a sign of tacit agreement. It may be out of fear; or a hope that it will all die down soon. Even when there appears to be broader support for hate groups it is often short lived.”

However, the fact that at the end of the day it is only a limited number of people that are involved in these actions and that a firm response by even a few members of the public can make a difference provides a window of hope. In this context, the story of Pawan Kumar Shetty and his brave attempt to protect the girls who were attacked in the pub attack is instructive. (See the section on the Amnesia Pub Attack in this report)

3.6 Impact of Cultural Policing

The main impact of cultural policing is to spread a climate of fear across Dakshina Kannada. This increases the sense of insecurity of ordinary people. People begin to think twice about performing many ordinary actions such as going out for dinner or going to a dance class or drinking juice by the wayside. The members of our fact-finding team spoke to the students of Aloysius College and University College, Mangalore, who articulated this sense of unease about the situation in Mangalore today.

Opinions of Students of Aloysius College, Mangalore

- *The change in Mangalore since this pub incident happened is that girls are scared to go out. Previously when I went out around 8.30 pm nobody would say anything. Now autos keep asking me where I am going and whether I need a drop. It's really none of their business. I don't think anyone other than my family has the right to ask me these questions. Today the youth are silent. Youth spirit is not there at all.*
- *We have rights and freedom to express ourselves. But this right is not there in Mangalore. There is a fear to walk in the street, to go to a hotel and to have a bite.*
- *I am from Kerala and when I first joined I could walk out at night as it was a very safe place. In the last two three years, my parents say be careful, don't go out. Because the media has covered the pub attack and we have all seen the images, back at home people are scared for us. Nobody has a right to define Indian culture for me. If the government has not defined Indian culture, who are they to tell us what to do?*
- *I think that the pub attack was a cheap publicity stunt and now Muthalik is splashed across the TV screens. He did not succeed and has lost face due to things like the pink chaddi campaign. Indian culture is known for its diversity and people today are stronger in feeling for the other religion. However, my parents call me from back home and ask me to be careful in not talking to people from other religions. However, I feel that people have become stronger after this attack.*
- *I was sent to study here. Now I don't think my brother will be allowed by my mother to come and study here. It's wrong to say that a girl's culture is to be at home by 9 o'clock. As journalists, we will have to be prepared to be out at all times. We have to react to what is going on, only I don't know how to react.*

- *I am from Kerala and my mother used to call once in two days. Now after this pub incident she calls me twice a day. She is really worried. I have friends who are boys and they are from different religions. If we are a mixed culture, how can we live? I don't see why Sri Ram Sene should interfere in this matter. I don't think girls going to pubs should be a big issue. If boys can go to pubs, why not girls? Who is the public to decide that? Pub going will not destroy our culture. If I can't even talk to a boy from another religion, then we have to stop saying that India has a mixed culture.*
- *I have a friend who works as an event manager and he was telling me that his business has been affected as a lot of birthday parties have been cancelled. People are becoming jobless because of the effects of the pub attack. Though the intention might be good, the method the Sri Ram Sene people used is undoubtedly harsh.*

Conversations with Students from the Minority Community, University College

“There is a clear division in the college along religious lines. There are two student unions: ABVP union and Sri Rama Sene union (promoted by Dinakar Shetty, legal adviser to Sri Rama Sene). The ABVP Union has only about 100-110 students with them, out of a total of 1400, but they threaten and attack anyone who questions them. They also heckle Muslim students as they pass. I have been called “ugrappa” (colloquial for terrorist) and “Beary” (a sect of Muslims who trade in fish) in a jeering way.

I am in N.S.S and once, I got a call asking me to arrange for blood donation (B+) urgently for a patient in Government Hospital. I asked around and two girls volunteered to donate. I went with them to the Hospital and after the donation when we returned, the ABVP gang was waiting for us, and began to scold me for taking two Hindu girls out. I tried to tell them that we had gone to donate blood but they continued to berate us, saying you are taking Hindu girls to make them prostitutes.”

Conversations with Student Members of the ABVP Union, University College

We spoke to members of the ABVP Students' Union of the Mangalore University College, including Sailesh Shetty, the Secretary of the union. Sailesh was the main speaker. He reiterated the Sangh Parivar stand that attacking women in

the pub incident was wrong though ABVP opposed the “pub culture”. Another member cut in, to say that due to this (pub culture), many Hindu girls are being spoilt and ABVP was determined to save them. Asked whether anyone of them had been inside a pub, they all said no, but they knew what went on inside. Asked about the physical and verbal attacks on students of the minority community, they held that there have not been any violent incidents within the college and that ABVP would see that the college remained peaceful. They also stated that they would not let any girls come to college in burkhas.

While the students of St Aloysius articulated the sense of unease about where Mangalore was going, the minority students of University College articulated a more direct sense of violation. Due to the actions of these various groups, Muslim students are actively discouraged from going to state run educational institutions. Muslim boys are targetted as terrorist and Muslim girls are harassed for wearing the burkha. In short the minority community is being told that educational spaces which are managed and funded by the state are to be cleansed of a Muslim presence. The students affiliated to the ABVP Union clearly indicated how their agenda is both about controlling women’s expression as well as curbing the minority community’s right to express their religious identity.

This atmosphere of division and hatred fomented by groups such as the ABVP will have negative consequences for Mangalore’s reputation as an important educational hub. This will definitely have financial repercussions as well. As Father Swebert D’ Souza, Principal of Aloysius College put it, “These incidents will clearly hit Mangalore as an educational hub. Mangalore seems very unsafe. With the global economic meltdown things will become worse. Now its a question of safety, parents will think twice before they send their children here.”

A similar concern was expressed by Swaroopa Shetty, the Principal of Matha Educational Trust who observes: “Whenever I see what is going on on the TV I feel so bad. There is no scope of justice in the system. I think parents will be scared to send their children to Mangalore from now on. This is going to affect us. It is only when this year’s admissions happen that we will know how our institution has been affected.”

Thus, cultural policing will potentially have consequences much beyond the immediate acts. It rends the social fabric, increases the distance between communities, has financial implications for Mangalore in terms of job losses and adversely affects Mangalore’s reputation as an educational hub.

Cultural Policing Leading to Social Apartheid: Violation of the Constitutional Order

While it is important to look at how cultural policing violates the criminal law with impunity, what is of greater and immense significance is how this becomes the wider phenomenon of social apartheid which violates the basic promise of the Constitution.

What is specific to the idea of apartheid is that it takes the idea of segregation which is present in society and converts it into law. In other words apartheid is nothing but a phenomenon which converts voluntary segregation or a segregation agreed to by sections of society into a segregation mandated by law. Any transgression of this system of segregation by any individual is then punishable by law. The Indian Constitution is premised upon a rejection of both the idea of a segregation authored by law and a segregation sanctioned by society. It expressly takes on the mandate of ensuring that people can freely interact with each other in a spirit of fraternity. In fact one can read Article 17 of the Constitution which expressly punishes the practice of untouchability in any form as the Constitution's abiding commitment to the idea of fraternity.

Dr. Ambedkar in his closing speech in the Constituent Assembly made an important point that is pertinent in this context: "We must... not be content with mere political democracy. Political democracy cannot last unless there lies at the base of it social democracy. What does social democracy mean? It means a way of life which recognizes liberty, equality and fraternity as the principles of life. These principles of liberty, equality and fraternity are not to be treated as separate items in a trinity. They form a union of trinity in the sense that to divorce one from the other is to defeat the very purpose of democracy. Liberty cannot be divorced from equality, equality cannot be divorced from liberty. Nor can liberty and equality be divorced from fraternity. Without equality, liberty would produce the supremacy of the few over the many. Equality without liberty would kill individual initiative. Without fraternity, liberty and equality could not become a natural course of things. It would require a constable to enforce them." (Constituent Assembly Debates, Nov 25, 1949, p. 979 Book No. 5.)

chapter IV

The Indian Constitution is premised upon a rejection of both the idea of a segregation authored by law and a segregation sanctioned by society.

Dr. Ambedkar recognized how difficult, yet important, the principle of fraternity was. As he put it, “Fraternity means a sense of common brotherhood of all Indians—if Indians are seen as being one people. It is the principle which gives unity and solidarity to social life. It is a difficult thing to achieve.” He goes on to underline the centrality of fraternity by noting that that ‘Without fraternity, equality and liberty will be no deeper than a coat of paint.’ (ibid p.980)

Cultural policing, in its insistence that communities should not interact with each other and in its attempts to punish all those who try to live out the meaning of the Preamble’s promise of ‘fraternity’, is a fundamental attack on the very Constitutional order. The promise of fraternity held out in the Preamble is what is contested at its very roots by cultural policing. What cultural policing wants to produce are monolithic self-enclosed communities with no form of social interaction between them. It is antithetical to the idea of ‘We, the people of India’ and insists that India is no more one nation, but rather a conglomeration of separate peoples.

Cultural policing in turn leads to forms of ‘social apartheid.’ By ‘social apartheid,’ what we mean is a policing of community boundaries through laying down what manners of dress and what manners of expression are appropriate for each self-enclosed community. The conventional understanding of apartheid as it was practiced in South Africa refers to a structure of segregation of the people of South Africa through law. By social apartheid, we mean a practice of segregating communities on the basis of religion and gender by self-styled vigilante groups as well as prescribing appropriate behaviour and conduct for the separate communities. Social apartheid is successful only because it has the implicit support of the state, and hence enjoys immunity for its patently lawless actions. It is important to stress that social apartheid is not just about segregating communities but it is equally concerned about the culture, dress, and deportment of individuals within the community. It follows that those who are policing the boundaries have no hesitation in inflicting violence against members of their own community—as we saw in the Mangalore pub attacks.

It is unfortunate that sixty years after independence, the vision of the framers of the Constitution is sought to be so completely repudiated by organizations which are bent on ripping out the heart of Indian Constitutionalism. Some of the core freedoms which the Indian people have ‘given unto themselves’ and which are now under threat are :

1. Right to Respect for Choices of Social and Intimate Association (Article 21)

The right to life under the Indian Constitution has been interpreted to include the right to live with dignity. The right to live with dignity implies Constitutional protection for the choice of who one associates with. Thus the right to make choices

such as who one sits on the bus with and who one goes out to lunch with are integral to the right to live with dignity. Equally the choices one makes including the choice of who one chooses to have intimate relations with as well as who one chooses to marry are part of the zone of private decision making. The Indian Constitutional promise of respect for these personal choices regardless of what the moral code of caste and community might be, is best reflected in the Special Marriage Act, which recognizes the right of two Indians from different religions to marry each other. The duty of the state to protect this freedom is nothing less than a Constitutional mandate made even more weighty by the Preambular promise of fraternity. The exercise of this freedom of personal choice to marry or have intimate relations or socially associate with anyone of one's choice regardless of religion or caste is in fact an active way of promoting fraternal relations among the various communities of India.

2. Right to Freedom of Expression (Article 19(1)(a))

Freedom of speech and expression under Art 19(1)(a) includes the right to the expression of identity or personhood through speech, deportment, dress or bodily characteristics. It includes both ordinary and symbolic speech acts. This fundamental freedom to dress the way one chooses has been subjected to attack by non state actors. This attack on so intrinsic a matter as what one chooses to wear is an unreasonable restriction on a core freedom that is guaranteed by the Constitution. Thus the ostensible reason for the Mangalore pub attack being the manner of dress of the girls negates the Constitutional guarantee of Art 19(1) (a).

3. Right to Equality and Non Discrimination (Article 14 and Article 15)

The right to equality and non discrimination at its minimum means that no one is targeted or subjected to violence purely on grounds of one's religion or gender. It equally means that one's religion or gender does not become the basis on which persons are targeted for accessing public facilities like buses, colleges, restaurants or pubs. The fundamental nature of this guarantee once again stands comprehensively violated when the public sphere itself becomes a space of intimidation, where religious identity and gender itself become a basis on which individuals are subjected to violence or the constant fear of being assaulted.

4. Right to Freedom of Conscience and the Right to Profess, Practice and Propagate Religion (Article 25)

The right to practice one's religion would include the right to wear clothes which one sees as being an essential part of one's religious worldview and belief. While there is an internal debate on to what extent wearing the burkha is essential to being a Muslim, an external ban on women wearing burkhas from entering educational

institutions amounts to a serious infringement of the Constitutional guarantee under Art 25 ie the right to practice one's religion.

5. The Right to Education

Underlying the series of attacks which constitute cultural policing is also an attempt to systematically target the right of all students to access educational facilities without discrimination based on one's religious identity. By making educational institutions hostile environments to students from minority communities either by persistently targetting the boys as 'terrorists' or by laying down bans on women wearing burkhas in educational institutions, this right is being undermined.

The foregoing survey of the potential rights that are being violated calls to mind the fact that cultural policing as a phenomenon is not so much about violating any one of the fundamental rights but is really about attacking the core of what it means to be a citizen in India today. It is a systematic attack on the idea of India as a Constitutional democracy that guarantees to all its citizens rights and liberties. It attempts to reduce India to a warring series of peoples who are coerced into only relating to each other as enemies. Any attempt at questioning this image of India as a series of self-enclosed, separate, and hermetically-sealed communities, be it through acts of love and affection, or fellow feeling and brotherhood, is dealt with by intimidation, violence and coercion.

Civil Society's Response to Cultural Policing

chapter V

The pub attacks elicited fierce protests from civil society (by way of student protests and demonstrations) in Mangalore. However, there were protests from the Hindutva groups as well against any expression of outrage against what happened in the pub attack. This counter offensive by the Hindutva groups reached its biggest success with the shutting down of Mangalore on Valentine's Day after the open threats issued by Pramod Muthalik. Mangalore did not celebrate Valentine's Day. Keeping this context of extreme intimidation in mind, we will document some of the ongoing civil society initiatives.

5.1 *Komu Souharde Vedike (KSV)*

Komu Souharde Vedike is a network of progressive individuals and organizations that strive to confront the communal politics of the Hindutva forces. It was initially formed to combat the aggressive campaign by the Hindutva organizations to convert Babagudiri from a syncretic shrine into what the Sangh Parivar has described as 'the Ayodhya of the South'. The network believes in aggressive secularism with a call to fight fascism in a comprehensive fashion. The KSV heavily criticized the pub attack and organized a public meeting opposite the District Collector's Office in Mangalore in which numerous progressive thinkers, intellectuals and activists participated. KSV was successful in building a broad coalition which included politicians such as B.T Lalita (former legislator), U.T. Khader (MLA), littérateurs such as H. L. Keshavmurthy, and activists such as P.B. D'sa.

The KSV mode of addressing the present violations is to take the Sangh Parivar head on and combat what it sees as a clearly fascist force.

5.2 *Karnataka Forum For Dignity(KFD) (now the Popular Front of India)*

One of the organizations that has fiercely resisted the depredations of the Hindutva groups is the Popular Front of India (PFI), which is a state wide network with a base in the Muslim community which has come together to combat communal violence which they have been subjected to. It has been organizing a series of

Mangalore did not celebrate Valentine's Day. Keeping this context of extreme intimidation in mind, we will document some of the ongoing civil society initiatives.

programmes on communal issues, raising awareness in the Muslim community as well as reaching out to the wider public.

Pattabhi Somayaji comments: “As far as the PFI is concerned, I feel that they have every right to be senselessly violent, considering what the Muslim community has had to face. However they have completely eschewed violence as a strategy. They are getting more and more articulate and trying to reach out to other communities. They organize programmes in villages, often in the village center. That takes both courage and organization. If they do a programme, they ensure that the speakers are safely picked up and dropped, and the venue is at various points surrounded by PFI volunteers who ensure that nothing untoward happens. Today, in any of their programmes, there are any number of young people who are increasingly articulate. In terms of their ideology, they might still want all their women to wear burkhas. Recently, they organized a huge demonstration of over 30000, mainly young people against Bush’s visit to India. They have also participated in the anti-SEZ protests. I have never seen their speakers advocate violence though the speeches might be exceptionally charged.”

However, some sections of civil society have expressed reservations about KFD. In the opinion of one observer: “I have reservations about organizations such as the KFD which share the outlook of the Bajrang Dal with respect to boys and girls from different communities interacting with each other. Progressive groups work with KFD only because they bring in the numbers.”

Umar, a journalist with Tulu Nadu, notes: “The stand of KFD (now PFI) is similar to that of the Hindutva organizations. Even in Komu Souharda meetings, the KFD stand has always been controversial on larger issues like gender equality. I feel that KFD (now PFI) is a party to cultural policing (attacking couples from different communities), just like the Sene or the Bajrang Dal or the Christian Social Action Committee. Only, KFD (now PFI) may not use overt violence and may resort to mere threats.”

While KFD has come in for persistent criticism from many quarters for the fact that women are not seen on KFD platforms, KSV General Secretary K.L. Ashok notes that there has been progress on this question. In the beginning there were no women in KFD events, then women were seated in a separate location with a screen separating them from the men, and now in events the screen has disappeared. Ashok felt that what was needed was a continuing dialogue with KFD to bring about change in attitudes. He is positive about bringing about changes through this process of interaction.

However, Sharief, the National General Secretary of Popular Front of India, has categorically denied the persistent allegation that KFD is also involved in moral

policing: “Getting involved in love cases has never been on our agenda. We never attend to such instances. Yes, we did protest when the ABVP said Muslim girls should not wear burkha to college in Sulya, that is all. It’s just not on our agenda to do such things.”

5.3 Democratic Youth Federation of India (DYFI)

DYFI and its activists have responded to the series of attacks carried out in the name of moral policing. Their activists have concretely followed up each case. Wherever possible, First Information Report’s (FIR’s) have been registered, families have been rendered assistance and press conferences called to put forward the facts of what happened. They have also organized protests against instances of moral policing. DYFI has also focussed on socio-economic issues and struggles as a way of articulating some of the issues facing common people and thereby trying to dilute the appeal of Hindutva. (See Section 6.3 below)

5.4 People’s Movement for Enforcement of Constitutional Rights and Values

In an interaction with the Fact Finding Team, Lolaksha introduced members of this forum and explained its objectives. The forum believes that an issue such as a communal mindset is best tackled through a focus on constitutional rights and values rather than labeling forces as fascist and using the strategy of aggressive confrontation. This forum believes that KSV’s approach of holding rallies is unproductive since it just plays into the hands of the Sangh Parivar. Regardless of who actually participates in an anti-communal rally, it will be used as a propaganda tool by the Sangh Parivar who will raise their usual cry of Hindus in danger due to Muslim mobilization in the rally. The forum feels that secularism can only be consolidated by separating Hindu communalists from the Hindu masses. Rita Noronha of the Roshini Nilaya is the convener of this forum. Its other members include: Lolaksha, (Ahinda); Mohammed Hanif, (advocate, and President, Akhila Beary Parishat; Dennis D’Silva (Karnataka Christian Sanghagala Okkuta); Jayankar Samatha (CSI Kranthi Church, Jeppu); Yadav Shetty (Karnataka Prantha Raita Sangha); Satish Baikampady (Mogaveera leader); Renny D’Souza (CACL, Mangalore); P.V.Mohan (Syndicate Member, Mangalore Univesity).

5.5 Celebrating Valentine’s Day

Pramod Muthalik’s declaration after the Mangalore pub attack that Valentine’s day was not to be celebrated in Karnataka triggered off an avalanche of protest. Groups in Bangalore, ranging from Dalit groups such as the Samta Sainik Dal to a coalition of NGO’s called the Coalition for Democracy, organized rallies and protests against the Mangalore pub attacks and Muthalik’s proposed action on Valentine’s day. On

the day, there were also simultaneous protests by Karunada Sene, Vatal Nagaraj and his Prema Vahana as well as a new campaign called 'Defend the right to love.' What was asserted in these numerous protests and programmes was that the Sri Ram Sene had no right whatsoever to dictate what people in Karnataka should or should not do. Taken one step further, it was asserted that the right to love was a political right which challenged the rigid structures of caste, gender and sexuality.

5.6 *The Pink Chaddi Campaign*

Another form of protest that was set off by the Mangalore pub attacks as well as Sri Ram Sene's call for disrupting Valentine's Day celebrations was the Pink Chaddi campaign. Initially, this initiative started as an online initiative of a group set up by Nisha Susan called, 'A Consortium of loose, forward and pub-going women.' Within a week it gathered a strength of over 50000 members online. The campaign simply asked everyone to send the Sri Ram Sene pink chaddis. In the words of its initiator, "Our embryonic campaign has been compared to Myanmar's Panties for Peace campaign, with the 1970s mythical bra-burning, with Gandhigiri. The truth is that we were only thinking of a way to render absurd the ever-bigger chaddiwala. What we have in common is that we dislike the ease with which right-wing groups have been infringing on fundamental rights. Isn't our culture infused with ideas of tolerance and respect for difference? Living in India has now begun to feel like being the only adult in a room full of violent, overweight children. You never know what will offend someone and constantly live in fear... We believe that the Pink Chaddi Campaign broke through this climate of fear for a few moments and reached adults. Reasonable adults who don't take themselves too seriously, who respect different ways of life, who were looking for company in their miserable reasonableness."

The campaign resulted in the mobilization of thousands of voices from across the world, right from housewives in Bombay to schoolgirls in Calcutta to a woman from Puerto Rico, all of whom actually mailed the Sri Ram Sene pink chaddis. This particular campaign seemed to have caught the Ram Sene off balance as initially they offered to send pink sarees in return, then they said that the chaddis would be burnt publicly, and finally they threatened to file a defamation case against the initiators of the campaign for injuring the reputation of the Sri Ram Sene.

5.7 *Karnataka State Human Rights Commission*

The only state institution to have grasped the serious implications of this form of social apartheid produced by cultural policing is the Karnataka State Human Rights Commission. The Commission has taken *suo motu* action and visited Dakshina Kannada District and come out with a damning rebuke of the functioning of the State Government.

In its analysis the Commission observes: “It appears that these outfits and groups have emerged in recent times in the coastal districts, particularly in the Dakshina Kannada District, and have assumed the role of a parallel instrumentalities of governance, and their highhanded actions include attacking places of worship, attacking girls and boys visiting pubs, attacking Hindu girls found speaking to boys belonging to other religions, preventing Muslim girls from entering the premises of educational institutions if they wear Burkha and similar other illegal acts.” The Commission describes these acts as an “instance of highhanded, unconstitutional, illegal act on the part of these groups. If what is reported in the press is true, it would undeniably violate the basic human rights, fundamental rights guaranteed to the Indian citizens.”

The Commission further notes: “the highhanded, apparently illegal act of the members of the group has the effect of shattering the very foundation of our civil society, the Constitution and all our cherished values like secularism, democracy, rule of law and accountability in governance.In recent times, Dakshina Kannada District has become notorious for such instances and episodes.”

The Commission has clearly pinpointed blame: “it is strongly felt by the Commission that with the personnel occupying positions in Dakshina Kannada District Police unit, it is not possible to contain these ind[ication]s of menace or to bring about social harmony among various religious groups in the district. There is an imminent need to transfer the present incumbent of the office of Superintendent of Police and other police officials who have been in the district for quite long time and some others who, though transferred earlier, have come back to the district on re-transfer’. (See Annexure V)

However in spite of the State Human Rights Commission issuing such a strong rebuke to the State Government, the Government has chosen not to act on any of its recommendations. Even when The SP Satish Kumar was finally transferred, the Deputy Inspector-General of Police, Western Range, Gopal B. Hosur was at pains to clarify that, “the present change of guard had nothing to do with recommendations of the Karnataka State Human Rights Commission, which had sought a reshuffle of police officials after attacks on churches in the district and again after the attack on a pub in the city.” (The Hindu, 26.02.09)

The dominant opinion among civil society groups is that what allows for this continuing impunity in violating the Constitutional order is the present administration.

Dealing with Cultural Policing

6.1 Political Strategy

The dominant opinion among civil society groups is that what allows for this continuing impunity in violating the Constitutional order is the present administration. Many of them strongly feel that a change in Government will bring about a change in the law and order situation in Dakshina Kannada.

As Fr. Swebert D'Souza, the Principal of Aloysius College puts it: "If the state wants to bring in law and order, it can do so. It promotes this [impunity] directly and sometimes indirectly. The Government is not interested in keeping law and order, and has instructed the law and order machinery not to take action. We need a strong administration, and this one is very biased. If another government comes, these things can be stopped in two or three days."

Pattabhi Somayaji expresses a similar view: "What will change the situation is a change in government. If the government changes, we will have more strength and voice and can make a more public voice."

This indictment of the present administration is also shared by the State Human Rights Commission which has observed in anguish: "The Commission is tired of telling the Government repeatedly to take effective and prompt action to contain these highhanded and illegal acts of the self-appointed moral police."

However, while it is clear that the present administration's indifferent attitude to a continuing series of violations is the core part of the problem, one cannot be sure if a change in government alone will be a sufficient answer.

As Munir Kattipalya put it, "I don't think the BJP will win the parliamentary elections. However, that will not solve the problem as the Congress does not have an answer."

6.2 Legal Strategy

Another way to respond to this cultural policing is to use the existing legal framework more effectively. Whenever acts of cultural policing occur with vigilante groups committing various offences from wrongful confinement to criminal intimidation to outraging the modesty of a woman, the police must inquire into

the offences committed by the vigilantes and book cases against them. Until such action is taken against vigilantism, criminal acts will continue to go unpunished.

This strategy is based on the premise that the framework of law as embodied in the Indian Penal Code(IPC) and the Criminal Procedure Code(Cr.P.C) is more than adequate to deal with this form of violation. The underlying idea is to use law as a low intensity tool through which consistent pressure is kept up on those perpetrating these unlawful acts. This form of legal strategy also escapes the high media attention which other more public strategies might evoke. These legal actions which include ensuring preparing an effective case against those accused as well as use of the security provisions in the Cr.P.C and using externment as an option. This strategy relies on consistent pressure using existing mechanisms of ordinary law rather than advocating for 'extraordinary' measures like a ban.

The then Superintendent of Police Dakshina Kannada Satish Kumar made a number of suggestions in this context: "There is an excessive media focus on arrest as a solution. It is better to ensure that there is a proper investigation and a charge sheet is filed. Once the charge sheet is filed and the accused gets a notice, that is the first jolt. Then he has to find a lawyer and will quickly realize that he does not get political support as the issue is not hot anymore. So instead of focusing on arrest, it's better to concentrate on building a case.

"The provisions which should be used more effectively are Section 107 and Section 110 of the Cr. P. C. through which you get the person to execute a bond for good behavior before the Tahsildar, If the Tahsildar sets the bond at a minimum of Rs. 50000 along with sureties, it will ensure good behavior. Section 116(3) also has to be more effectively used. We have used these provisions against 130-140 people after the church attacks. Arrest is a useless measure as the person comes out immediately. But if security proceedings are started, firstly the Tahsildar issues notice .Then once the person appears, the Tahsildar makes him execute a bond for good behaviour of say Rs 50,000. The person to execute this bond has to show a source of income. Further you ensure that you have two sureties whose property can be attached if this bond is violated. This will ensure that for the next 15-20 days you will have to beg people to stand as surety. If say twenty people of the Bajrang Dal are so proceeded against, then they have to get 40 sureties. That will not be easy as not many people will be ready to stand surety. However, even when the Executive Magistrate has given notice under these provisions, it has been stayed by the Court. In other cases the Executive Magistrate has let people off with a mere warning or a bond of just Rs 500/. However even in those cases where people have been let out on a bond of good behaviour of Rs 500/ security, we are closely monitoring these persons"

“Part of the problem we face is that people abstain from the judicial process. Pawan Kumar gave a statement to the media that he had received threatening calls but was unwilling to give a complaint. Similarly, a media person who observed the pub incident till today refuses to give a complaint. Even if the twenty eight against whom an FIR is lodged get convicted, it will be a lesson to all. Sometimes even when we painstakingly collect evidence and present it in court, during the examination, people shrug it off and say that they never saw. To prevent these attacks, society must come forward and participate in the legal process. Till today the girls who were attacked in the pub incident are not willing to come forward and give a statement. This is the duty of a citizen. People and the media feel that arrest is the solution; however that is not so.”

The other provision which has been used by the District Administration is the power to extern a person under the Police Act. Two Sri Ram Sene activists have already been served a notice of externment, and this power has also been invoked against the chief of the Sri Ram Sene, Pramod Muthalik. In a notice issued to Pramod Muthalik on March 5th 2009, it was stated that, “We have evidence to suggest that you support the January 24 2009 attack on women carried out by members of your organization.” It refers to the alleged disturbances caused by members of the Sri Rama Sene during the September 2008 attacks on churches in the district. In addition, it mentions that the “threat to disrupt Valentine’s Day celebrations was widely condemned by members of the public,” Taking cognizance of Muthalik’s continued “assault on the constitutional rights” of citizens, the district administration considers his “behaviour and actions” to be a “threat to the maintenance of law and order in the district as well as an impediment towards communal harmony and peace”. The notice further states: “Your inflammatory speeches and statements have created an atmosphere of terror and fear in the district.” Pramod Muthalik has been asked to respond to the question as to why he should not be banned from entering Mangalore city and the district based on his past record. His response was sought before March 12, 2009. (In a order of the Deputy Commissioner Pramod Muthalik has since then been ordered not to re-enter Dakshina Kannada for a period of a year, The Hindu 17.03.09)

However the fact is that law has till now been used both tardily, inadequately as well as ineffectively against the various vigilante groups. It should be noted that action against the Sri Ram Sene alone will be inadequate as action will also have to be taken against other vigilante groups as well, such as the Bajrang Dal and the Hindu Jagran Vedike (See the section on the Role of the Police above.)

6.3 *Socio-Economic Strategy*

Another series of responses to the rise of vigilante politics is based on an understanding of the socio-economic base of these new vigilante groups. Among the cadres of these vigilante groups, there is an acute resentment of the new-found prosperity of some communities. In our interview with Sri Ram Sene cadres, they repeatedly stressed that “the people who go to pubs are all ‘hi-fi’, and they are not reared in middle class families. Apart from these people, everybody else feels that we did a good job.”

Munir Kattipalya also drew attention to this socio-economic fact: ‘Those who are part of the Sri Ram Sene and attacked the pub are poor, they have no visible future, no pocket money; they can’t go to Coffee Day, for example. They also cannot go out with or even talk to the girls whom they attacked. The fact that these girls don’t even look at them but only talk to certain boys increases their anger. They have a lot of anger that they cannot enjoy holidays, that they cannot go to hotels and that they have to carry their own lunch boxes. While on the outside, the attacks seem to be motivated by Hindutva, on the inside, it is anger.’

Munir Kattipalya believes that the strategy should be to channel this economic disaffection into a people’s political struggle: “To reverse this trend is not easy but we must not give up. I feel that people have enough problems. Today you are eligible for free treatment in government hospitals only if you have Below Poverty Line (BPL) cards and most people in Dakshina Kannada don’t have a BPL card. Due to water privatization, people now don’t have ready access to water and are suffering because of that. Many of those who vote for the BJP come with us in our anti-water privatization struggle. When we had a meeting of our construction workers union, 5000 people came to the rally, out of which 4000 will vote for the BJP. Similarly, with the beedi workers struggle as well as the struggle for ration cards. We need to begin by speaking of these issues and also then introduce the communal issue, so that people see that we have a proactive agenda and are not just reacting to issues.”

However, another observer (who wishes to remain anonymous) feels that this has not really happened.”I think there is a failure among progressive groups. The left has an agenda which is purely economic, anti-water privatization, anti-SEZ etc. They do not integrate a wider social thinking into this economic agenda. Hence it’s very possible that people participate in the anti-water privatization struggle but at the same time vote for the BJP.”

The need for tackling the socio-economic conditions is also echoed by the former SP of Dakshina Kannada district, Satish Kumar who feels that various socio-

economic measures need to be taken to address economic deprivation: “Another solution is to keep people employed. Many of those who go fishing do not go fishing all the time, often their work is done by 11 a.m. After that there is enough time to think of all these other [criminal] things. The members of the Muslim community go to the Gulf after they cross the age of twenty five, so before that there is nothing to do. The buses should be more public-oriented, with at least half of all buses being KSRTC buses. That will eliminate the cleaners and time keepers, and ensure that there are not too many people with too much of time on their hands to do these criminal acts on the buses. I also feel that, say if 1000 of these rowdy elements are given auto rickshaws, even if 600 stick on, we will have another way of taking care of the disgruntlement. This is a deeper solution than any security proceedings or filing of cases.”

Issues for Further Debate

7.1 Legal Issues

One of the issues that need a more thorough discussion is whether there are provisions of law which should be invoked to deal with the illegal activities of vigilante organizations. The traditional civil liberties perspective has been that even when associations engage in unlawful activities, while the members of the association should be prosecuted under existing provisions of law for violations the association itself should not be targeted under any 'extraordinary' laws.

There is a discomfort with invoking legislations such as the Unlawful Activities Act to demand banning of organizations engaged in the criminal and illegal acts outlined above. The civil liberties movement has always held that the legal framework as it exists is indeed adequate to deal with all exigencies. There is no need for any special laws or extraordinary laws to deal with emerging scenarios, be it the specter of terrorism or the question of new forms of communal terror.

Groups working on communal amity issues on the other hand point out that ordinary laws have failed to deal with the specter of emerging forms of Hindu terror, and hence there is a need for a new legal framework as well as a willingness to advocate the use of laws other than the IPC in certain contexts. Groups under the banner of Communalism Combat have argued for a ban under the Unlawful Activities Act, against the Vishwa Hindu Parishad and the Bajrang Dal, on the grounds that they are armed organizations, repeatedly inciting and resorting to violence and attracting 153-A and 153-B of the IPC. The argument is that in the contemporary context, the Hindu right wing has spawned numerous organizations that clearly engage in illegal acts which have enjoyed long-standing impunity from the state. This impunity has emboldened the extreme fringe to go so far as to engage in bombings, as seen in the Malegaon blasts.

While it is well known that vigilante groups function with great impunity, the civil liberties perspective is that any new laws to tackle the emerging forms of terror will have to conform to the basic norms of due process and fair trial. The Unlawful Activities Act, 1967 fails on both counts. In the context of this fact-finding investigation, the question that emerges is this: How does one bring these vigilante Hindutva groups within a framework of legal accountability, without compromising civil liberties concerns?

chapter VII

One of the issues that need a more thorough discussion is whether there are provisions of law which should be invoked to deal with the illegal activities of vigilante organizations.

7.2 Cultural Issues

The other question which has been articulated in terms of the strategies which one can use to combat the forms of communal terror are the limitations of a purely secular human rights approach. When a draft version of this report was circulated for comments we received written feedback from cultural critic, Dr. Lata Mani who articulated this concern. We reproduce her comments below:

'The report underlines the need to develop greater dispassion toward "religion" than is customary among progressives. The feelings of overwhelm induced by communal forces is often an effect of a secular terror of religion which is invoked by the way religious identity becomes a battleground. To many of us religion feels like an alien logic into whose provenance we stray at our own peril. We can only imagine being smothered and suffocated in the process. Fascist movements that deploy religion can therefore be especially challenging from an analytical or political standpoint. It can seem as if the Sangh Parivar is stirring up ancient cauldrons of antagonism and that modern thought is the only safe antidote. But in going down this road we are conflating religion and Sangh Parivar ideology in a way that most people we hope to reach out to would not.'

Religion is a very complex and contradictory inheritance. Much of our culture draws its inspiration from it and no broad based or mass intervention can proceed without drawing on its resources in some way. On the predominantly secular left we find it much easier to make political and economic demands and are unsure of how to articulate a cultural agenda since the latter quickly brings us into the difficult terrain of religion and tradition. However, given the centrality of a crude construction of "religion" and "culture" to the fascist challenge to democracy we have no choice but to engage both in our activism.

As analysts, we would benefit from posing the following question: what is the relationship between communal prejudice as an everyday practice that may or may not countenance violence and ideologies that mobilise these prejudices into a systematic program of violence? Too often we have assumed the relation between the prejudice and support for a genocidal agenda to be one of cause and effect. But reality is more complex and any cultural intervention would have to reflect this fact.

Clearly, in Mangalore economic deprivation and class resentment are converging to challenge the new exclusions and inclusions spawned by neo-liberal urban cultures of consumption and conviviality. The Sangh Parivar may not be especially concerned about the former. But our response must address both the unease engendered by these processes and the politics of exclusion on the basis of caste, class, gender and religion. Cultural activism must be a crucial dimension of our political work.'

Recommendations

chapter VIII

1. To the State Government

1. Acknowledge that there is a serious breakdown of the Constitutional machinery in Dakshina Kannada and take action to ensure that this breakdown is rectified.
2. Ensure that there is no parallel administration to the Government of Karnataka and in particular take stern action as per the provisions of the Indian Penal Code against members of the Bajrang Dal, Hindu Jagran Vedike, Hindu Jagran Samithi, Akhila Bharatiya Vidyarthi Parishad, Sri Ram Sene and any other group which engages in cultural policing.
3. Ensure that no group, especially the groups above named, is allowed to impose their own so-called 'moral code' on the people of Dakshina Kannada, thereby supplanting the Constitution.
4. Ensure that appropriate action is taken against groups such as the ABVP which have been responsible for the violation of Constitutional Rights on college campuses. The State Government should refrain from involving ABVP in any state-initiated programmes.
5. Reinstate the cases that have been withdrawn by the BJP administration against all those who have been involved in disturbing the communal peace in Karnataka. These cases have been filed in Chikmangalur town and the case numbers are: CC. No. 4277/03, CC. No. 5195/03, CC. No. 832/05, CC. No. 2119/05, CC. No. 2154/05, CC. No. 1916/06, CC. No. 1284/06, Cr. No. 441/01, CC. No. 2154/05, CC 47103, CC No. 4713/03.
6. Ensure that all citizens are able to exercise their fundamental rights without fear.
7. Ensure that citizens enjoy security of life and dignity even as they try and live out the meaning of the Preamble's promise of liberty, equality and fraternity
8. Protect citizens' right to engage in loving or romantic relationships which cut across barriers of religion.

Acknowledge that there is a serious breakdown of the Constitutional machinery in Dakshina Kannada and take action to ensure that this breakdown is rectified.

9. Protect citizens' rights to occupy the public space with other people of their choice, regardless of religion or sex.
10. Protect citizens' rights to expression by wearing apparel of their choice.
11. Protect, in particular, women's freedom of expression which includes the right to wear clothing of their choice, make friends with those of their choice, and to express their romantic affection for partners of their choice.
12. Protect students' right to education in a non-coercive safe climate where one is not exposed to constant intimidation on grounds of one's faith or gender.
13. Considering that cultural policing is fundamentally an attack on young people and the choices they are making, the state should ensure that these choices are protected.
14. Take effective action to dispel the climate of fear that has gripped Dakshina Kannada and is preventing its citizens from exercising their fundamental rights.

2. To the District Administration

1. Take effective preventive action against all those who disturb the communal peace in Dakshina Kannada district.
2. In particular, ensure that those who have committed or are threatening to commit criminal and illegal acts of cultural policing are asked to execute a rigorous bond of good behaviour with stern action taken against those who violate the bond.
3. Externment of all those who have been repeatedly involved in these criminal acts of cultural policing.
4. Carry out a public education campaign that it is illegal to produce people before the police station for enforcement of a so-called morality and that the police will not hesitate to take action against these vigilante elements.
5. When an incident of cultural policing occurs, the Deputy Collector should visit the spot and ensure appropriate action is taken against the vigilante elements by the district police.
6. The Deputy Collector should initiate confidence building measures through regular interactions with members of the minority community and set aside specific days to listen to and redress grievances.
7. Initiating socio-economic measures to ensure that gainful employment is provided to those who might otherwise be tempted to engage in these criminal acts.

3. To the District Police Administration

1. Ensure that any group or individual who detain or harass anyone on grounds of violation of a moral code are themselves immediately arrested on grounds of disturbing the public peace by committing offences under the Indian Penal Code.
2. Issue a circular that FIR's should be registered against all those whose acts of cultural policing have involved the commission of criminal acts like intimidation, wrongful confinement, simple hurt and sexual harassment.
3. Promptly investigate and file charge sheets in the Amnesia pub attack case (FIR no. 22 registered in Mangalore North police station), the case of the attack on the Muslim boy in Belthangady (Cr. No. 45/09, Beltangady Police Station), and other such cases of gratuitous violence against innocent people.
4. Ensure that the police are trained and sensitized to safeguard Constitutional governance in the State with particular reference to the concerns of gender and communalism.

4. To College Authorities

1. Ensure that students' rights to express their identity through such manner of dress as they see fit are fully protected.
2. Ensure that college campuses remain spaces that are not hostile or threatening to anyone on grounds of religious identity or gender.
3. Take strong disciplinary action against all those rendering the college an hostile environment for those from minority communities and women through threatening speech and actions.

5. To Civil Society

1. Respond and deal with the causes for the upsurge in the phenomenon of cultural policing.
2. Work with perpetrators of communal violence and come up with solutions which are not just socio-economic but also work with psychological dimensions.
3. Organize programmes that promote inter community interactions and thereby promote fraternal relations among the various communities.
4. Educate the public on the need for intervention when acts of cultural policing occur so that the Constitutional rights are safeguarded.

6. To Other State/Civil Society Institutions: (National Human Rights Commission/ State Human Rights Commission/ National Commission for Women/ State Commission for Women / National Commission for Minorities/ State Commission for Minorities)

1. Since the issues outlined above crisscross the concerns of gender, minorities and human rights, it's imperative that all the institutions mentioned above monitor the phenomenon of cultural policing.
2. Specific investigations and fact-findings need to be done and appropriate action recommended by these bodies.

7. To the Press Council of India

1. To issue guidelines to ensure that reporting of incidents of cultural policing is objective, non judgmental and conveys the perspective of the affected parties.
2. To take appropriate action against those in the print media who have presented a distorted and once sided perspective on incidents of cultural policing.

Postscript

The series of events which began as far as the wider public was concerned with the pub attacks in Mangalore on 24.01.09 have not yet been fully played out. The latest chapter, to the series of violations outlined above was the attacks on women in Bangalore.

- On 24 February 2009, Vandana was attacked at around 9 pm by four men who punched her, hit her, and abused her for wearing jeans. In her own words, "I was attacked on 24th Feb at around 9:00 pm. I was walking down Vasanthnagar after I'd wrapped up work looking for an auto. At the underbridge I noticed four men walking down the road towards me. I crossed over to the other side, just in case. I continued to walk down towards Kodava Samaj. Suddenly I realized that the four men had crossed the road as well. Once they were close enough they started pushing me and passing comments. I tried to ignore them, stepped around them and continued walking. They turned around and walked back towards me and started pushing me around. I finally lost my temper and turned and told them to leave me alone, One of them came really close and started abusing me in Kannada and Hindi. At that point I pushed him away from me. The next thing I know I'm in the middle of a roadside brawl. The guy who spoke to me punched me and the other three started hitting me as well. I fought back and all of us were in a scuffle All through the attack I was abused in Hindi and Kannada for wearing jeans and fighting back. After what seemed like an eternity I heard an auto go by and I shouted out to him. Luckily for me he stopped. For a split second the four men were taken aback and let go off me I pushed them and ran across the road, climbed into the auto and begged him to take me home. The four men followed me to the auto and tried to drag me out. At that point the auto guy started the auto and rode away. The whole attack must have happened in a span of about 5 or 6 minutes"*
- That same week, Jasmine (name changed) was attacked by four middle-aged men at 11.30 am when her auto broke down. They physically assaulted and tried to disrobe her while yelling obscenities. As Jasmine put it, "First they started hurling obscenities at me in Kannada and then it became physical. They started touching and pulling at my clothes. One of them tugged so brutally at the jacket I was wearing that he scratched*

The latest chapter, to the series of violations outlined above was the attacks on women in Bangalore.

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my neck. Their goal was to show the collected crowd the top that I was wearing underneath my jacket. When the jacket didn't come off with their tugging, the violence of the tugging increased. In self defence I hit out at an offending hand that was trying to disrobe me. The response, he slapped me hard across my ear. Then they began trying to lift my top up while making references to 'pink chaddi' – the only words I could understand of their tirade. It looked like these guys just wanted to make a spectacle and humiliate someone that day. And I was in the wrong place at the wrong time. I don't want to imagine what would have happened to me if the army men (who stopped to help me) hadn't put an end to the humiliation."

- *On 28 February 2009 at 10.30 pm, Sanjana got hit by two men on a bike who slowed down, socked her on her jaw and fled away.*
- *On 17 February 2009, two men chased Archana's car at 1.30 pm. One chased her with a large stone as she ran to a friend's house for refuge.*

As the memorandum to the Director General of Police (DGP) asking for strong action, by the group Fearless Karnataka/ Nirbhaya Karnataka noted, "We must bring to your attention that in all the incidents women have been targeted for what they have been wearing, the fact that they were on the road late at night or that they should not have been in a particular location. The motivation behind the attacks is to compel women to subscribe to a narrow definition of culture and modesty. Moral and cultural policing of this nature is undertaken to restrict the freedom of women to live full and meaningful lives."

What the incidents indicate is that there is that the Mangalore pub attacks and the public perception of impunity which attackers invariably enjoy has seeped into public consciousness. More and more criminal elements feel emboldened to commit criminal acts against women in the complete confidence that no action will be taken against them.

As Jasmine put it, "I do not want to talk to the cops as even with hardcore evidence, the police didn't do anything about the Mangalore episode, and those hooligans are out. I do not want to talk to the press and be anyone's political scapegoat. The whole situation was a nightmare and every time I talk about it, I relive it."

However what the attacks in Bangalore have done is outraged many of its inhabitants. This outrage has been channelized into the formation of a new group called Fearless Karnataka/Nirbhaya Karnataka. This new group is a coalition of number of concerned and outraged citizens and groups in Bangalore working on various human rights issues. The group has already organized protests outside the

Commissioner's Office and the DGP's Office as well as held interactions with the public to encourage public intervention in case of such attacks.

The situation in Karnataka post these new attacks in Bangalore remains highly fluid and its difficult to predict the way the situation will develop.

Communal Report Card of Karnataka: Since the BJP Came to Power

1. On 9th June, 2008, less than two weeks after coming to power, the Muzrai Housing minister, S.N. Krishnaiah Shetty, issued a circular to almost 37,000 temples in the state directing them to perform pooja in the name of the Chief Minister BS Yediyurappa and the BJP government. In the wake of much criticism and controversy, this circular was eventually withdrawn by the government. (Deccan Herald, 12.006.08)
2. On 12th August, 2008 the State government announced that the Sri Gokarna Mahabaleshwara Temple had been denotified from the ambit of the Muzrai department and handed over to the Ramachandrapura Mutt on the alleged grounds that the Mutt had been running the temple for long. It must be noted that the Mutt is located in chief minister B S Yeddyurappa's home district of Shimoga. (Deccan Herald, 15.0.08)
3. The Education Department issued show-cause notices to Christian educational institutions across the State threatening to shut them down when these institutions declared 29th August 2008 as a holiday in silent protest against the large-scale violence organized by the Vishwa Hindu Parishad (VHP) against the Christian community in Kandhamal district of Orissa since August 2008. Interestingly, immediately after this the ABVP, the student wing of the BJP party and closely affiliated with the RSS, Bajrang Dal and VHP, forced a State-wide bandh of educational institutions on the issue of the illegal entry of Bangladeshi nationals into the country. When questioned about this bandh by reporters, the Minister for Primary and Secondary Education Vishveshwara Hegde Kageri defended the bandh by saying that the bandh by the ABVP and the closure of colleges by minority managements over the attack on churches could not be equated. (The Telegraph, 31.08.08)
4. In Davangere district, over the months of August, September and October 2008, a number of churches and prayer halls were attacked by members of Hindu Jagrana Vedike, Shiv Sene and Sri Ram Sene who alleged that forced

conversions were taking place in these churches and prayer halls. On a number of occasions, pastors and other members of the Christian faith were attacked, threatened and abused, both verbally as well as physically. The Municipal Corporation even sealed the churches based on such allegations and the false complaints of these right wing organisations. Due to inaction of the police who openly supported the perpetrators and often harassed the victims, a Public Interest Litigation (PIL) (W.P. 14845/08) was filed in the High Court in December 2008. Consequently, the sealed churches were opened and criminal cases were registered against members of the Sri Ram Sene and Hindu Jagrana Vedike.

5. During the same period, Hindutva groups, including the Bajrang Dal and Srirama Sene, attacked at least twenty-eight churches in Karnataka. The Chief Minister BS Yeddyurappa's response to these attacks was that the attacks were provoked by conversions of Hindus to Christianity by some Christian groups. He blamed a Protestant group for triggering the disturbances in the state by distributing literature which insulted Hindu gods. (The Hindu, 26.09.08)
6. Despite these numerous attacks, no arrests were made of the Bajrang Dal which had openly admitted to having attacked the churches. This resulted in an outpouring of protests and demands from progressive organizations, human rights groups, members of the Opposition and the Central Government that action be taken against the Bajrang Dal and other such groups. Because of widespread condemnation of the event, the Bajrang Dal's Karnataka convener Mahendra Kumar was arrested on September 19, 2008. (Deccan Herald, 20.08.08)
7. The Central Government has called for a dossier on the activities of Bajrang Dal from all the states in order to decide whether it is an extremist organization and whether to ban it or not. This is in the face of continuing calls to ban the Bajrang Dal from various organizations. Despite this, except for the arrest of the Convener and his subsequent release, no appropriate action has been taken against the Bajrang Dal. (The Hindu, 12.08.08)
8. The arrest of the State Convener did not deter either him or the Bajrang Dal from continuing with its communal and illegal activities. In fact Mahendra Kumar transported his activities into the jail premises as well. After Mahendra Kumar was arrested and brought to the District Jail, there were six attacks against fellow inmates by members of the Bajrang Dal arrested for attacks on churches and housed in the district jail. According to the press reports, Mahendra Kumar had been conducting ideology and indoctrination sessions for the jail's Hindu inmates and the above named accused were part of a

group that recently took an oath in the name of Hindutva at a secret ceremony in the jail. (The Hindu, 1.11.08)

9. The newspaper Karavali Ale had been targeted by right-wing elements including the Bajrang Dal for its reporting on the attacks on churches in August/September 2008, in which it reported the role of the Bajrang Dal in these attacks. Members of the Bajrang Dal not only openly burnt copies of the newspaper, but also threatened newspaper vendors and prevented them from selling the newspaper. In a letter written to the Press Council of India (PCI), B.V. Seetaram, editor of the newspaper, requested them to look into matters such as alleged burning of the newspaper's copies and threatening of the vendors. Following this, Seetaram was arrested (in connection with an old case) when he was travelling from Kateel in Dakshina Kannada to Kundapur in Udupi district via Karkala. It appears that Seetaram has been targeted for his anti-communal stance. On February 11, 2009, the High Court of Karnataka directed the State Government to pay Seetaram damages of Rs. 10000 in four weeks. The Court also deprecated the mechanical manner in which magistrates issued body warrants against Seetaram. (The Hindu, 3.01.09) (The Hindu, 4.01.09)
10. Cases filed against members of the Bajrang Dal, VHP, BJP and Sri Ram Sene in regard to their illegal activities around the Baba Budangiri shrine in Chikmagalur have been withdrawn in the last week of December. Cases have been withdrawn against these repeated offenders who continue to commit crimes. Cases have been withdrawn against some prominent present and past members of the Karnataka Assembly, including C.T. Ravi (sitting BJP MLA of Chikmagalur) and V. Sunil Kumar (ex-BJP MLA, Karkala) and notorious members of the Bajrang Dal, Vishwa Hindu Parishad and Sri Rama Sene, including Pravin Togadia and Pramod Muthalik. Some of the charges against the above mentioned accused include promoting enmity among groups of different religions (Section 153 A of the IPC), and malicious acts intended to outrage religious feelings (Section 295-A of the IPC). The complaint is in regard to the incidents that took place on 18.12.2002 during the Shobha Yatra procession held during the Datta Jayanthi celebrations organized by the Bajrang Dal, Vishwa Hindu Parishad and BJP According to the complaint, in violation of the orders of the Assistant District Commissioner, these Hindutva leaders shouted slogans and gave inflammatory speeches against the Muslim community during the public meeting at Azad Park, and incited communal riots.
11. On 1st January 2009, the Resurrection God's Ministries Church, in village Malebennur was set on fire and completely gutted. (<http://indianchristians.in/news/content/view/2692/45/>) accessed on 18.03.09

12. On 12th January 2009, the government launched a state-wide campaign to apparently create awareness among people, especially college students, about terrorism. From a viewing of the CD that the government has circulated as part of the campaign, it appears that the government is attempting to create an atmosphere of suspicion about the Muslim community. This is especially so since there are numerous instances of terrorist activities by the Bajrang Dal and other such organizations for which they have been arrested and are facing trial (e.g., the Malegaon blasts). But none of these instances of Hindutva terrorism are reflected in the CD. The attempt here is to create the impression that all terrorists are only Muslim. All this is in keeping with the consistent stand of the BJP party that “All Muslims are not terrorists, but all terrorists are Muslims”. This campaign is bound to sow the seeds of communal hatred among the students in the State. The government has ensured that only the ABVP of all the student organizations active in the State, would be involved in this anti-terrorism campaign. (Deccan Herald, 21.01.09)
13. On the occasion of Vaikunta Ekadasi, in the first week of January 2009, the Muzrai department distributed 3 lakh laddus in 65 Balaji temples, both government and private, in Bangalore. The budget for the above was 18 lakhs. The Minister also distributed copies of the calendar with the picture of Lord Venkateshwara and Padmavati to the devotees on Vaikunta Ekadashi day as a complimentary gift. (Deccan Herald, 6.01.09)
14. On January 24th 2009, members of Sri Ram Sena forcibly entered a pub in Mangalore and assaulted girls in a Mangalore pub, accusing them of behaving in an “obscene manner”. (The Hindu 26.01.09)
15. On 26th January 2009, the day of solar eclipse, the Muzrai Housing Minister B.N. Krishnaiah Shetty issued a circular to all A and B-grade temples, totaling almost 300 prominent temples in the state, to perform special pujas for the good of the state in the state and to ward off “adverse effects the eclipse causes.” The minister defended it as an effort to “create awareness” about the eclipse in all temples, including those in small villages. (Hindustan Times, 27.01.09)
16. On February 9, 2009, two Sri Ram Sene members were arrested and a pistol and six bullets were recovered from them. The accused are associates of Jambaji, who was arrested for fifteen murders and a plot to kill two MLA’s. One of the accused organized many protests against anti-Indian culture and planned many events to condemn Valentine’s Day celebrations. (Times of India, 12.02.09)
17. On the occasion of Mahashivrathri, the Muzrai Department brought 50,000 litres of gngajal drawn from Lakshman jhula about 250km from New Delhi

and distributed it to all major Shiva temples across 175 taluks. Further on the occasion of Mahashivrathri on February 23, 2009, the Muzrai Department had organized a religious night-long vigil at Palace Grounds, Bangalore, which was attended by the Minister for Muzrai, Shri S N Krishnaiah Shetty and the Minister for Medical Education, Shri Ramchandra Gowda. (The Hindu 19.02.09)

18. Religious functions as an essential part of governance, is becoming more prominent with the Karnataka Government having commenced work on a Rs. 93 crore concrete structure over 7.5 acres in Tirumala to construct a building with 400 general rooms, 34 VIP rooms, 12 VVIP rooms, 2 choultries, 2 dormitories, 2 restaurants and 16 shops. (Times of India, 28.02.09)

Statements of the Home Minister of Karnataka in Response to Communal Incidents in Karnataka

Statements of Dr. V.S. Acharya Reported in the Press

1. In response to the attacks on Churches across the State on September 14, 2008 by members of the Bajrang Dal, the Home Minister VS Acharya, while condemning the attacks maintained that the Bajrang Dal and the Sangh Parivar had no role in the attacks. He also said “At the same time, in the name of conversions, some people are offering incentives to helpless people and converting them.” (IBNLive, September 15, 2008)
2. In response to the attacks on two more churches on September 17, 2008 the Home Minister said that there was a need to ban New Life as it was a “bad” organization though he admitted that there were no complaints about conversions. Further, he complimented the police for restoring peace within two days and said that it was too late to stop the bundh call given by the Sri Ram Sene. He also dismissed the attack on a church in Ujire as a minor incident. (Deccan Herald,18.09.08.)
3. The Home Minister, in an interview, absolved Bajrang Dal of responsibility for the church attacks. He blamed “smaller” groups like Sri Rama Sena for the attacks. While defending his actions, he made statements that he has passed in the first class as the home minister as he had returned everything to normalcy in two days. He said that there were no deaths or injury or any loss to property. (The Times of India, 19.09.08.)
4. In regard to the attack on a church in Rajarajeshwari Nagar, Bangalore, it was claimed that minor damage caused by a cricket ball when some children in the vicinity were playing. (The Hindu, 3.10.08)
5. In regard to the attack on women in Amnesia Pub, Mangalore by the Sri Ram Sena the Home Minister promptly laid down his defence by denying the involvement of the Sangh Parivar in the attack and said they were

unnecessarily being dragged into the controversy. He also suspected the role of “hafta” collectors in the incident and said that just as with the attack on churches and prayer halls, this was an attempt to fix the BJP and defame the government. He also stated that there was an attempt to blow the incident out of proportion (Deccan Herald, January 27, 2009). On February 1, 2009 he stated that; “It was pre planned. It was such a small incident that lasted only three minutes but it’s been played over and over on every television screen as if it went on for hours.” (Deccan Chronicle, 1.02.09).

6. Despite repeated and sustained demands from the public, the Home minister also said that there was no plan to ban the Sri Ram Sene and continued indulging in the blame game by claiming that a Congress member was involved in the attack and that this was a conspiracy to tarnish the image of the BJP government (The Hindu, 30.01.09).
7. On January 29, 2009, the Home Minister also made a statement that he was not in favour of “pub culture” as it was not “our culture” (The Times of India, 30.01.09).
8. In regard to the attack on a college student called Shruti, the daughter of an MLA from Kerala and her friend’s brother who belonged to a different community, who were abducted and thrashed by Hindutva activists in Mangalore, the home minister made statements such as “You should take care of your children. What can we do if some goonda elements do it?” He also said that the father should be grateful that his daughter came back home safe. (The Times of India, 8.02.09).
9. The Home Minister in response to complaints that the media was playing an “over-active” and “damaging role” decided to appoint an ombudsman for the media. He said that the Press Council had become redundant and that an ombudsman was needed to monitor things and control damage to society. (The Hindu, 10.02. 09).
10. V S Acharya said, “The State government will also keep a close watch on the Pink Chaddi campaign.” The Home Minister asserted that for the next four days in the run-up to Valentines Day “we are keeping a close vigil in the entire State. No organisation or individual will be allowed to take law into their hands. If the campaign creates nuisance leading to untoward incidents then it would be dealt with strictly.” (Deccan Herald, 11.02.09)

Statements made by Dr. V.S. Acharya on his blog

The views of the Home Minister have been published by him on his blog not only propagates and defends his views but also criticizes all views that differ from his own.

1. On the Mangalore pub incident he states

“Mangalore pub episode took place at 4:15 pm! (talk about night life!)” and “College “students”...found in pub in college hours...” and “First attacker of pub arrested within 10 minutes of the incident...” He also attacks the media by stating “Mangalore pub attack victims ...Physically assaulted by the attackers....Undergo Emotional and mental agony with repeat telecast of the video clippings... (channels which bought the clippings for a price, make the “best use” of controversial edited/stage managed video clips...)” he has uploaded various photos and has provided captions such as “Say no to pub “culture (?)”

2. On the issue of pub culture he has uploaded various quotes such as

“Concern over the large number of teenagers and youngsters spending their quality time at watering holes by bunking classes... “What will happen to their career, if they are allowed to continue with this?”, “It can bring down crime rate in a big way by doing so and can avoid major crimes” etc.

3. On the NCW report and Renuka Chaudary's statements he says

“One cannot expect much from Persons like Renuka Chaudhary, who beat men in uniform! Will the centre keep on sending “fact finding missions” till they get a “favorable” story? Who pays for all these? Tax payer, of course!”

4. On the issue of his statement on the abduction and thrashing of the MLA's daughter he states

“The statement taken out of Manjeswar MLA Kunjambu's mouth, has created furore...such words were never uttered by the Home Minister of Karnataka...But the Page3 newspapers blow this out of proportion, without even verifying with the HM of Karnataka...obviously sponsored by some anti social elements.” He also says “in the case of “**abduction**” of MLA's **daughter**, 5 persons - CPI(M) activists were arrested, produced in the court as per the laws. However, to coverup a family issue, Manjeswar MLA Kunjambu made media statements blaming the Home Minister of Karnataka making irresponsible statements!- such statements were never made by Dr V S Acharya.”

5. He also believes there is a communist link to the above incident and has made various entries on his blog like

“Communist Hand Behind Mangalore events MANGALORE : Manjeshwar MLA's daughters attack episode: Sponsored by his own party? Attackers Bio Data: Bus Driver: Aravinda Das, CPM activist, AITUC member. Bus Conductor: CPI member, Brother of CPI Panchayat Member, CITU member. Was this attack, pre

planned to sideline the breakthrough in Bangalore Bomb Blast episode? In that case, whether Communist Party of India members from Manjeshwar, are in contact with Terror Groups?” and “Communists+Left leaning mediemen+Mangalore=Chaos”

6. *On the issue of the news report in the Hindu he states*

“A simple example for “biased reporting” or reporting with “pre conceived news” “news fabrication”...a heinous crime of alleged sexual assault of a school girl, leading to her unnatural death...(already the culprit has been arrested) Kannada newspaper on the left has a 2 column, 10cm writeup in the Page 10, under routine crime news...However, a national newspaper, with a reporter with “ideological leanings” thinks it is fit to be published in the Front Page, 3 columns and 20cm...He is also judgemental...in declaring what allegedly caused her death...very creative writing...Now, dear readers, don` t you think, there is a need for some ‘self regulation’ by those in the media?”

7. *On the issue of communal violence he criticizes other political parties and says*

“Congress/ JDS/ “secular” media/ Intellectuals/ Human rights activists need to get checked up now for blindness and deafness...Seven attacks on Churches in Left-ruled Kerala and DMK-ruled Tamil Nadu in the last week.” and “As predicted Human Rights Activists, Letterhead organizations have started attacking the police officers by names...We had predicted these in our earlier posts...these acts are aimed at demoralising the police forces...A TACTIC ADOPTED BY TERRO OUTFITS! Combination here is a Christian organization+”a secular activist”+Retired CJ+ Transparency International- same organization which wrote reams about corruption! Where are our “intellectuals” “human rights activists” or innumerable self proclaimed saviors of humanity?”

8. *On the opposition to the anti terror campaign he says*

“Congress party workers oppose anti terror campaign at college campuses...indirectly in support of terror activities?”

9. *On the issue of media ombudsman for which he was reprimanded publicity, the Home Minister says*

“Poser to those opposing the proposal of Media Ombudsman: If you reporting is right, why are you worried about the Ombudsman? Are you not worried about the “report first, verify later, never clarify” culture? (eminent newspapers like The Hindu, already have their own “Readers Editor- which is another form of Ombudsman). He also condemns the actions of the media otherwise by making statements like “A Page3 Culture newspaper has been carrying out a slander campaign

against the sentiments of Mangaloreans...Quotes statements made by criminal minded people and attributes it to those in power..”

10. The Times of India carried an article on the blog and the one sided view it presents (The Times of India, February 11, 2009) He responds to this by saying

“Truth is bitter, all that is bitter is not venom! In a world full of negative reporting, biased writings, stage managed media coverages, media with ideological leanings, sponsored propaganda, Page 3 culture, lies repeated every day, whose motto seems to be Report First, Verify Later, Never Clarify...who will present the other point of view? BLOG of course!A reader of the blog pointed out...the opposition to the Ombudsman concept by the media houses itself is an indication that, it is needed!Thanks to the TOI, for the coverage!”

The blog is accessible at drvsacharya.blogspot.com/

Annexure III

Cultural Policing Incidents in Dakshina Kannada as Reported in the English Press

No	Place of incident	Details of incident	Source
1	Vithala	At Vithala in Bantwal taluk where activists of the Bajrang Dal assaulted a couple, Roopashree and Vikhar Ahmed, and paraded them in public.	The Hindu, 7.09.08
2	Mangalore city	Sugandhi and her three friends, Raghav, Anil and Rasheed, were assaulted by Bajrang Dal activists when they were at a hotel in the heart of Mangalore city.	The Hindu, 7.09.08
3	Mangalore city	Deepa and her fiancé Abdul Waheed were dragged out of a bus at a junction in the city and assaulted by Bajrang Dal activists.	The Hindu, 7.09.08
4	Mangalore	Bajrang Dal activists assaulted and abused classmates Julia, Robert, Waheed, Abdul and Sunil because they were found laughing and talking loudly in a public place.	The Hindu, 7.09.08
5	-	Activists of the Bajrang Dal and the Social Action Committee carried out the "joint operation" against Mohammed and his classmate Catherine.	The Hindu, 7.09.08
6	-	Activists claiming to be from the KFD assaulted Dinesh and his friend Afshan at a remote village 25 km from the city.	The Hindu, 7.09.08

		They were assaulted because Dinesh had brought medicines for Afshan who was suffering from malaria.	
7	Mangalore	Activists of the Bajrang Dal assaulted Syed, Zulfikar and Ameen with soda bottles and hooks in a bus in the heart of the city because they had carried school bags belonging to a group of Hindu girls.	The Hindu, 7.09.08
8	village 25 km from Mangalore city	Activists claiming to be from the KFD attacked Govind, an autorickshaw driver at a village over 25 km from Mangalore because he often ferried his neighbours Uzma and Shaheen in his auto.	The Hindu, 7.09.08
9	Mangalore	Rehman was heard talking and laughing loudly at a public place with his two friends Uma and Bhavya. They were assaulted and abused by Bajrang Dal activists.	The Hindu, 7.09.08
10	Puttur Taluk	Far away from the city, Divya, who was assaulted by Bajrang Dal activists when she was visiting her friend Ayesha, also faces social isolation. "Everybody knew that Ms. Ayesha and I were friends. But after the incident it is as if I committed a grave offence. I do not know why my family should pay the price."	The Hindu, 8.09.08
11	-	Afshan, who was attacked by men claiming to be from the Karnataka Forum for Dignity, says that her Hindu friend was bringing her medicines when the incident took place.	The Hindu, 8.09.08

12	Mangalore	<p>In five such cases that have been registered by city stations (Mangalore East, Mangalore South and Bantwal Town police stations) in the last two months, cases have been filed against the couples under Section 92 (O) of the Karnataka Police Act, 1963.</p>	The Hindu, 9.09.08
13	Mangalore	<p>A bus taking pre-university students from Mangalore on an excursion to Mysore was attacked on the outskirts of the city allegedly by Bajrang Dal activists late on Friday.</p> <p>The bus, which had a group of Hindu, Muslim and Christian students, belonged to the Matha Educational Trust P.U. College in the State Bank area here. The students were on an official college trip.</p> <p>Of the 40 students on board, five have received minor injuries caused by shattered glass. The bus driver has been injured in the head after he was struck by a stone flung by the attackers. A case has been registered by Mangalore Rural police.</p>	The Hindu, 28.12.08
14	Mangalore	<p>In a separate incident on the same day, a salesman working with a countrywide mobile service providing company was attacked allegedly by Bajrang Dal activists. Officials of the Kadri police station said that no case had been registered in connection with this incident as the two parties had agreed to "compromise". They said that the salesman was badly hurt, but was out of danger.</p>	The Hindu, 28.12.08

		Explaining the reasons behind the attack on the salesman, Mr. Pumpwell said that he had "dared to gain the affection of a Hindu girl".	
15	Mangalore	<p>A 25-year-old nun was allegedly humiliated and ill-treated by members of a self-styled vigilante group on Monday. She is now recuperating in a seminary at an undisclosed location.</p> <p>On Monday, the nun, who works in a missionary-run women's hostel, accompanied the hostel's 20-year-old cook to the bus-stop and left her there alone for some time. "When I returned, I saw that the cook was surrounded by a group of men," she said. "They found out that she was a Hindu. This angered them and they started abusing her. They shouted at me saying that I was trying to convert my cook to Christianity."</p> <p>Reacting to the incident, the Inspector-General of Police (Western Range) A.M. Prasad said that his department was "closely monitoring incidents with communal overtones". However, he said that the people who ill-treated the nun could not be booked under the law. Since they alleged that the nun was involved in an act of forcible conversion, their legal locus standi was sound, he said.</p>	The Hindu, 27.12.08
16	Mangalore	Around 4 pm. on January 24, a group of over 40 people, wearing saffron headbands and scarves, came in through the main gate of a pub called	The Hindu, 27.01.09

		Amnesia and assaulted its customers in the name of protecting Indian culture.	
17	Mangalore	<p>In a second incident on the same day (as the pub attacks), a house where a private party was going on was raided and its occupants grievously injured. Speaking to The Hindu, Mr. Hameed said that he had organized a small "get-together" for friends. "Suddenly, five men armed with clubs and knives barged into the house and attacked us," he said. "The leader of the gang was repeatedly telling his followers to kill us," he said.</p> <p>The police have not made any arrests. "We are still investigating the incident," said the Additional Superintendent of Police R. Dileep. Those injured in the second incident at Balmatta have been identified as Abdul Hameed and Sharief. They are undergoing treatment in a private hospital. Sri Ram Sene Convener, Madhu Urwastore claimed responsibility for the second incident</p>	The Hindu, 27.01.09
18	Deralakatte	Mr. Albert D'Souza, a truck driver, told The Hindu that he had parked his jeep in front of the bar and gone away for a little while. "When I returned I saw a few people breaking the windscreen of my jeep and desecrating the religious stickers pasted on it," he said. When he questioned them, the vandals attacked him with iron rods and other lethal weapons. Mr. D'Souza believes that he was attacked out of pure	The Hindu, 4.02.09

		<p>malice. "They obviously attacked me because of my community," he said.</p> <p>The police have arrested three of the five persons believed to be responsible for the assault. The accused have been identified as Chittayana Chitranjan (31) and Ashok from the Pandit House area and Yogesh (30) from Bajal. Yogesh is one of the accused in a previous attack on October 6 on a bar and restaurant.</p>	
19	Pumpwell	<p>It all happened when Shruthi, daughter of Manjeswaram CPM legislator C H Kunhabbu, was travelling in a Kasargod-Mangalore bus around 4.30 pm when she met her friend's brother Shabeeb.</p> <p>A II PUC student at St Aloysius College here, Shruthi was returning from her home in Manjeswaram in the northern Kerala, bordering Karnataka, for her college hostel in Mangalore.</p> <p>As Shruthi and Shabeeb were sitting together in the bus, someone allegedly informed the Hindu groups in Mangalore. When the bus reached Pumpwell near the city, four youths boarded the bus. They stopped the bus about 200 metres before the next stop (Kankanady), dragged Shruthi and Shabeeb out of the bus and bundled them into an autorickshaw which was reportedly waiting for them.</p> <p>They took Shruthi and Shabeeb to a house somewhere near Padil and</p>	Deccan Herald, 7.02.09

		<p>reportedly beat them up. Around 6 pm, Shruthi was released. She took an autorickshaw and went to the house of her father's friend in Bejai and informed Kunhabbu. However, Shabeeb was released only at night, it is learnt.</p> <p>In a separate incident, the activists of DYFI staged a protest at the KSRTC bus stand late Friday night.</p>	
20	Mulky	<p>A 15-year-old schoolgirl hanged herself to death at Mulky in Dakshina Kannada on Wednesday morning after she was publicly humiliated by a suspected Hindutva fringe group, according to eyewitness accounts. Superintendent of Police N. Satish Kumar, however, denied the involvement of any group in her death.</p> <p>According to Rafiq helper in a bus, the victim and another girl boarded the bus at Kinnigoli village at 12 noon on Tuesday. The girls, both students of the Aikala PU College, got off at Moodbidri along with Abdul Salim, with whom one of the girls was friendly. As they were walking towards Venoor, a group of suspected Hindutva youths allegedly accosted them. The girls were berated for being friendly with someone from another religion and all the three were beaten up. The bus, on its return journey, was stopped by another group that dragged Rafiq out and thrashed him. He was taken to the place where Salim and the girls were held.</p>	The Hindu, 12.02.09

		<p>The captors then called Moodbidri SI Bharathi G., who took the four to the police station. The parents of one of the girls were summoned and Salim was allegedly forced to write a letter of apology. The girl and her family were said to have been humiliated at the station by a mob.</p> <p>The next morning, the girl committed suicide. After her death, Salim was arrested following a complaint by her father of rape and abetting in the suicide of a minor.</p>	
21	Puttur	<p>Attack on two teenage boys who are member of the Students Islamic Organization (SIO) by a mob of thirty Hindutva activists for pasting posters near the Vivekananda Engineering College in Puttur town. The victims were aged 15 and 17 and one of them has suffered a partial loss of sight. A case was registered under the Karnataka Open Place (Prevention of Disfigurement) Act 1981. The Circle Inspector Srikanth said that 'the boys were assaulted by hand and such offences are non-cognizable</p>	The Hindu 26.02.09
22	Mangalore	<p>At 6.45 pm, Anishwita (23), Akeel Mohammad (24) and Pramilla(22) were talking together at the Juice Junction in Balmatta when five persons began harassing them. Soon a large crowd gathered around them. Luckily a police patrol on duty came by that area and prevented further incident. An FIR has been lodged in the Mangalore East Police Station.</p>	The Hindu 26.02.09

23	Panja village/ Sullia taluk	<p>Muslim girls of the Government Composite Pre-University College here have been banned from wearing burkhas by local Hindutva outfits and the Bharatiya Janata Party-affiliated Akhil Bharathiya Vidyarthi Parishad.</p> <p>According to Lakshmisha Gobbalathadka, the self-proclaimed architect of the ban, the idea was first proposed to the college authorities at his behest by a few students affiliated to the ABVP in early January this year.</p> <p>"Four of my boys spoke to the college principal and demanded that Muslim girls be banned from wearing burkhas in classrooms," said Mr. Gobbalathadka, who is also the district convener of a fringe outfit called Hindu Jagarana Vedike.</p>	The Hindu, 3.03.09
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Extracts of Incidents of Cultural Policing Reported in the Kannada Press

Serial Number	Source	Place	Excerpts from the News Clippings
1	<u>Karavali Ale</u> 15.2.09	Kumpala, Ullal police station limits	8-year- old Zariq returning home from a madrassa in the night was attacked by a communal group for wearing the Muslim cap. The group came in a car and attacked the boy on the street. The Ullal police at first refused to take the complaint; finally, Ullal MLA U T Khadar had to intervene for the complaint to be registered.
2	<u>Karavali Ale</u> 14.2.09	Mangalore	A group of students from an engineering college were leaving Mangalore for Bangalore in a private bus to participate in an inter-collegiate competition. They were stopped at A B Shetty Circle and were threatened by a group of Hindutva activists, and were asked to go back home. In the presence of Pandeshwara police and parents of those students who tried to intervene, the Hindutva activists threatened that they would attack the bus at any point if the college attempted to resume the trip. The college trip was cancelled and the students and the staff returned to Mangalore.
3	<u>Vartha Bharathi</u> , 12.02.09	Mood bidri and Elanje village	16 year old Ashwini with her friend were on a bus going to Bethangadi from Moodbidri on the 10 th morning. She was close to Salim,

			<p>the bus conductor of that bus. As they were talking, a Bajrang Dal activist got into bus at Murur stop and attacked and abused Ashwini and Salim as well as Salim's friend Rafiq. They were then handed over to Moodbidri police station where they were given a warning by police and sent back home. Ashwini unable to bear the humiliation killed herself on 11th Feb. Rafiq, who went to the police station to give a complaint at the Venur and Moodbidri police stations, was turned away.</p>
4	<p><u>Karavali</u> <u>Ale</u> 12.02.09</p>	Hejmaadi	<p>Three years ago, Vanita belonging to Billava community, was attacked by Bajrang Dal activists when she went to her Muslim friend's house to thank her for helping her to get a job at Baikampadi. She committed suicide unable to bear the insult. Police have not taken any action against the attackers to this date.</p>
5	<p><u>Jaya</u> <u>Kirana</u> 30.01.09</p>	Haleyamgadi	<p>UBMS higher primary school planned to celebrate their annual day by staging a Yakshagana performance on Jesus which was directed by a Hindu and enacted by Hindu students. Though the parents of these children had no problem, some of the management members of the school as well as local politicians objected to this and forced the school to cancel the annual day celebrations.</p>
6	<p><u>Vartha</u> <u>Bharathi,</u> 30.1.09</p>	Sulya	<p>Hindu Jagaran Vedike and Bajrang Dal have instigated students to protest against Muslim girls wearing burkha to the Panja Pre-university College, Sulya, thus creating communal tension in the college. The same groups attacked a Muslim boy for supposedly proposing to a Hindu girl. The</p>

			college principal called for a parents' meeting to solve the tension. That meeting was also attended by taluk members and gram panchayat president Rafiq. The two groups mentioned above tried to enter the meeting but were asked to stay out. After the meeting was over, Rafiq and Muslim students were attacked by Hindutva activists who were shouting slogans outside.
7	<u>Vartha</u> <u>Bharathi</u> , 24.01.09	Mangalore	A group of Sri Ram Sene activists attacked Amnesia the lounge pub near Bosco Hall in Mangalore. They attacked and abused young boys and girls and also vandalized the pub. A complaint was given to the police by the pub owner Rajshekar.
8	<u>Jaya</u> <u>Kirana</u> , 24.1.09	Kundapura	Sri Ram Sene activists attacked a dance class at Kundapur alleging that minor girls, 'wearing skimpy clothes', were performing 'vulgar' dances there. They also alleged that the dance instructors took boys and girls out for late night performances to various places.
9	Jaya Kirana, 22.01.09,	Mangalore	A Hindu boy from Udupi took two of his Christian friends to Panambur beach in his Zen car supposedly to 'have fun'. After getting this information Bajrang Dal activists stopped the car at the beach and found there were Muslim boys and girls as well. They informed Kavar police who rushed to the spot to investigate. The students said that they had come to Mangalore for an educational purpose and had stopped at the beach as the car had some mechanical trouble. However the police said that there were no valid reasons for them to be there and the girls were warned and sent back to their parents.

10	Vartha Bharathi	Kaatipalla, Surathkal	Tanzeem, a student of Govindas College, was returning after watching a foot ball match along with this friend Rahamthullah. He was attacked by a group of miscreants. Rahamthulla sustained serious injuries while Tanzeem died on the spot because of a heavy blow on his head. This created communal tension in Kaatipalla.
11	<u>Jaya Kirana</u> , 3.1.09	Mangalore	Sri Ram Sene Activists attacked St Ligeria Primary school for distributing Bibles to the students. One of the teachers had allegedly distributed copies of New Testament to students, both Hindu and Christian, and asked them to read it saying that he would ask them questions about it later. Sri Ram Sene came to know of this and raided the school. They warned the school not to repeat such things and announced their plan to distribute Bhagavad Gita to students.
12	<u>Jaya Kirana</u> , 27.12.08	Mangalore	A group of students from Sri Maatha Education Trust, a private college in Mangalore, along with their lecturers were off on a trip to Mysore and Bangalore. They were stopped by Bajrang Dal activists on the ground that there were Hindu girls going with Muslim boys, which according to them was not permissible. The trip was cancelled.
13	<u>Jaya Kirana</u> , 27.12.08	Mangalore	Bajrang Dal activists attacked Sahul Ali, team leader of the marketing group Tata Indicom office at Balmetta Road after they reportedly received a complaint of sexual harassment from a Hindu girl working under Sahul Ali.

14	<u>Jaya Kirana</u> , 23.12.08	Mangalore	Bajrang Dal activists announced that they had 'saved a girl from being kidnapped and cheated.' According to them, Ubez, a salesman working in Mother India Masala factory at Honnavara, was in love with Sandhya. Though Sandhya was not interested in him and had rejected his proposal, he managed to persuade her to come to Mangalore. Bajrang Dal activists found them both in the KSRTC bus and 'saved' the girl and handed over the boy to police custody.
15	<u>Jaya Kirana</u> , 21.12.08	Mangalore	A lawyer was attacked in Mangalore by Bajrang Dal activists for 'having fun' with Hindu girls. They alleged that the lawyer was regularly visiting an apartment shared by three girls at the Kadri Pintos lane and 'having fun' with them. Bajrang Dal activists attacked the lawyer who was with the girls in his car. All of them were severely injured in the attack and his car was also damaged. Bajrang Dal activists said they were also helped by Sri Ram Sene activists in the attack.
16	<u>Karavali Ale</u> , 18.12.08	Mangalore	Hindutva activists attacked P B D'sa (a human rights activist) and owner of Blue Chip computer shop for allegedly encouraging 'immoral' activities in this shop. They broke the glasses and tables in his shop. According to the activists, he was allowing people to view blue films at his shop and to download them on their mobile phones.
17	<u>Jaya Kirana</u> , 9.12.08	Jeppu, Mangalore	According to Sri Ram Sene, a Christian boy studying in Kassiya school, who had put on a Ayyappa necklace on his father's request, was denied entry to class. For this reason, the Sene activists attacked the school.

18	<u>Jaya Kirana</u> , 9.12.08	Mangalore	Robert, originally from Trissur, Kerala, was attacked by Bajrang Dal activists for allegedly having a love affair with a minor girl. Robert, who had a contract of killing stray dogs at the Kadaba panchayat limits, was working with the father of this girl. According to Bajrang Dal, Robert who was already married had lured this girl into immoral activities; for this reason, he was attacked when he was going with this minor girl on the bike and handed over to police custody.
19	<u>Jaya Kirana</u> , 7.12.08	Ujre, Belthangadi	Bajrang Dal activists allege that two girls from Kolar who ran away from home were being taken for immoral activities by a boy from Ujre. They confronted the girls who were waiting for this boy at Dharmastala; the girls said that the boy was related to them. Bajrang Dal activists then followed the boy to Ujre who fled realizing he was being watched. Then they took the girls to Belthangadi police station.
20	<u>Jaya Kirana</u> , 7.12.08	Mangalore	Mangalore police on receiving complaints from Bajrang Dal activists raided two hotels near Jyothi cinema hall and Pandeshwara area. They alleged that there are discos where 'immoral activities', including drug consumption, are taking place. Bajrang Dal activists were present along with police during the attack.
21	<u>Jaya Kirana</u> , 4.12.08	Puttur	A group of Bajrang Dal activists went to Mohammed's house, let loose two of their cows and warned the women in the house not to send cows to the slaughter house at Kundroli village. Mohammed in his complaint to police alleged that they came into his house knowing that men were out. Uday Kumar Patladka and other Bajrang

			Dal activists allege that they were in turn attacked by a group of 15 people including Mohammed, Nizar and others. Both cases are registered at the Sampya police station.
22	<u>Jaya Kirana</u> , 4.12.08	Padubidri	Yousuf found three youths digging the ground at 2 in the night in front of the Masjid at Uchchila Baskar Nagar. Soon people gathered, and two of the youths escaped. The boy who was caught confessed that his name is Mohan from Uttar Pradesh and he was sent to plant a bomb at the Masjid by some localites. This boy was later handed over to police. The Muslim community says that police are trying to save Mohan by declaring him to be mentally retarded.
23	<u>Jaya Kirana</u> , 26.11.08	Mangalore	Sri Ram Sene attacks Miss Femina contest at Bharat Mall in Mangalore. Selection for the contest for participants from Mangalore was being held. Alleging that girls were doing cat walks in skimpy dresses, some people contacted Sri Ram Sene who landed up there and raided the place. Police came to the spot and Sri Ram Sene left the place only after destroying all the photos of the participants taken in the contest.
24	<u>Jaya Kirana</u> , 25.11.08	Mangalore	Anjali who was working at the Sacred Heart Covent was allegedly converted to Christianity by a sister of the convent who was also supposed to plan converting Anisha, Anjali's sister. Getting to know of this, Bajrang Dal activists came to the bus stand where the sister and Anjali were waiting for Anusha and handed them all over to the police.
25	<u>Jaya Kirana</u> , 23.11.08	Belthangadi	Ameen of Kokkada and a Hindu girl from Moodbidri, who were reportedly in love,

			were found near Dharmastala by Bajrang Dal activists who questioned them and took them to Belthangadi police station for further inquiry.
26	<u>Jaya Kirana</u> , 11.11.08	Mulleriya, Manjeshwar	Ashraf and a Hindu girl paid a visit to Santosh who runs a organization called Star Friends. They were alleged to be 'having fun' by the localites who informed the police. They were taken to police station where they were handed over to heir parents after counseling them. Star Friends office has been locked up.
27	<u>Jaya Kirana</u> , 7.11.08	Puttur	A group of boys (two Hindus and one Muslim) studying in Sulya College went with Radhika on their bikes to Puttur where Bajrang Dal activists stopped them and questioned them. The boys fled leaving Radhika behind. The activists took her to police station and she was sent back after being warned.
28	<u>Jaya Kirana</u> , 7.11.08	Mangalore	A small group of Muslim boys and Hindu girls were in a hotel near Jyothi cinema drinking beer. After overhearing one of the girls saying on her mobile phone that she was at a friend's place, one person informed Bajrang Dal. Police too came to the spot and took the boys and girls to the police station.
29	<u>Jaya Kirana</u> , 4.11.08	Mangalore	Bajrang Dal came to know that a Hindu girl from Bramharakutlu was being brought to the city by Iliyas and another rowdy promising her to get a job. The Bajrang Dal activists stopped them and beat up Iliyas.
30	<u>Jaya Kirana</u> 28.10.08	Kandlur, Kundapura	A Muslim boy Zakaria was beaten up for unknown reasons by some Hindu youths when he was waiting in bus stand.

31	<u>Jaya Kirana</u> , 15.10.08	Kasargod	Rafiq was attacked and killed after he was returning from namaz. This attack was a consequence of some Muslim boys misbehaving with a Hindu girl. Following this, there was communal tension in Kasargod. According to police, say the reason for this attack was personal vendetta.
32	<u>Jaya Kirana</u> , 7.10.08	Kundapura	Two youths Tafraz and Ashfaq were caught and beaten up badly by a group for unknown reasons. Police deny that it was a Hindu group.
33	<u>Jaya Kirana</u> 6.10.08	Bolavaru, Puttur	Three Hindu girls from Indus College were drinking juice with Zaheer Abbas. Bajrang Dal activists came and beat up the boy and handed him and the girls over to the police, who warned them and sent back. One of the girls was castigated by Bajrang Dal in the presence of the police for her 'immoral behaviour'.
34	<u>Jaya Kirana</u> , 2.10.08	Bantvala	Three boys and two girls, all Hindus, went to their Muslim's friend's house for Ramzan lunch at Machi village, where they were stopped by Bajrang Dal who go this information from some localite.
35	<u>Jaya Kirana</u> , 29.09.08	Mangalore	Public beat up a Muslim youth for following a woman in the bus. He is supposed to be a habitual molester of women in public spaces.
36	<u>Jaya Kirana</u> , 19.09.08	Indabettu, Belthangadi	VHP, taluk secretary, was beaten up by KFD members for having an affair with a Muslim girl.
37	<u>Jaya Kirana</u> , 17.09.08	Belthangadi	Student clashes at the Melenthabeetu College took a communal color when a boy named Kiran spat on a girl of another community. The girl asked the boy to

			apologize but he did not. This led to a clash between Muslim and Hindu boys.
38	<u>Jaya Kirana</u> , 13.09.08	Mangalore	Sudhakar, a student of Mangalore university, brought a Muslim girl Raila, his neighbor, for entrance exams at the university. He was dragged out of the bus and severely beaten up by Muslim youths.
39	<u>Jaya Kirana</u> , 12.09.08	Mangalore	Wife of Ibrahim was seen 'having fun' with a pimp in a local bar. Local youths beat up the man and sent her away after scolding her. Later they went to her house and beat up her husband and asked him to control his wife properly.
40	<u>Jaya Kirana</u> , 7.09.08	Mangalore	A Hindu girl working at Soja electronics, Beltangadi, was allegedly taken to Kerala by her Christian friend and her friend's lover for conversion. Getting to know of this, Bajrang Dal activists intercepted them in the bus and handed them over to police custody. In the police inquiry into the incident, the Hindu girl said that she was going with her friends to offer prayers at Kerala. She was sent back home and the couple were warned.
41	<u>Jaya Kirana</u> , 2.09.08	Mangalore	Two Hindu boys and a Muslim boy (son of an ex police officer) were found to be 'having fun' with the daughter of a bank officer at Westside Inn. They were attacked first by Bajrang Dal activists, and the police also came to the spot and beat them up. Police took them to custody
42	<u>Jaya Kirana</u> , 2.09.08	Vithala	Hindu Yuva Sene President Harish Vithala was reported to have eloped with his lover. This has created a controversy about Hindu groups. The whereabouts of Harish are unknown.

43	<u>Jaya Kirana</u> , 2.09.08	Puttur	A Hindu girl was attacked by Bajrang Dal activists on the ground that she was carrying on 'immoral activities' with a Muslim family. She was seen regularly visiting a Muslim house in that village. She has been sent back to her parents.
44	<u>Jaya Kirana</u> , 2.09.08	Vithala	Bashir of Kasaba village was seen with Nandita of Nalli Gudde at a hill next to a Pre-university college at Vithala. A group called Vithala Friends Group questioned Bashir about this it but he is reported to have responded arrogantly. The group then asked the owner of PBA Earth Movers, where Nandita worked, to dismiss her from service. They then handed over the two to police, where a written apology was taken and they were sent back. It is alleged that 'immoral activities' were taking place at the hill at Vithala, and the local people expressed their disgust about it.
45	<u>Jaya Kirana</u> , 1.09.08	Mangalore	SAC (Social Action Centre) a Christian organization joined hands with a group of another community to attack a Muslim boy seen with a Christian girl. They were both beaten up and taken to police. It is said that SAC started when a Christian housewife was taken away by a KFD member in order to convert her to Islam religion. SAC decided to be moral police for their community and stop conversions.

Orders of the Karnataka State Human Rights Commission

HRC.NO.746/SM-178/2009
12.2.2009

Dr. Justice S.R. Nayak

ORDER

Alas! It seems, nothing prevents the self-appointed 'moral police' of Dakshina Kannada district to indulge in highhanded, unconstitutional illegal acts with impunity and without any social fear. The commission do not find any improvement in the law and order situation that obtained in the District on the aftermath of the attacks on the places of worship. The Commission is tired of telling the Government repeatedly to take effective and prompt action to contain these highhanded and illegal acts of the self-appointed moral police in the District.

Attention of the Government is drawn to the order of the Commission dated 28.01.2009 in HRC.NO.381/SM-70/09 and connected matters and the order dated 07.02.2009 in HRC.NO.702/SM-150/09 and connected matters.

Now it is again widely reported in the press that a 15year old girl committed suicide at Aikala near Kinnigoli in Mangalore on Wednesday, 11th February 2009, allegedly after being harassed by suspected Bajrang Dal men for talking to a Muslim youth.

It appears that outfits and groups have emerged in recent time in the coastal districts particularly in the Dakshina Kannada District and have assumed the role of a parallel instrumentalities of governance, and their highhanded actions include attacking places of worship, attacking girls and boys visiting pubs, attacking Hindu girls found speaking to boys belonging to other religions, preventing Muslim girls from entering the premises of educational institutions if they wear Burkha and similar other illegal acts.

_(Not CLEAR)

drive schoolgirl to suicide" published in the issue of Deccan Herald dated 12.02.2009 be transmitted to:

The Chief Secretary, Government of Karnataka, Vidhana Soudha, Bangalore – 560001;

Addl. Chief Secretary and Principal Secretary, home Department, Government of Karnataka, Vidhana Soudha, Bangalore – 560001;

The Director General and Inspector General of Police, Nrupathunga Road, Bangalore – 560001, and a direction to submit the report with regard to the incidence leading to suicide of the minor girl within three weeks from the date of receipt of the notice.

Connect this case with HRC.NO.381/SM-70/09 & connected matters, HRC.NO.702/SM-150/09 & connected matters & HRC.NO.746/SM-178/09 and post them together.

Sd/-

(Dr. Justice S.R. Nayak)

Chairperson

HRC.NO.749/09 C/W

HRC.NO.750/09

12.02.2009

Dr. Justice S.R. Nayak

ORDER

Club these cases and post them together.

The main complaint, apart from other allegations, is with regard to the alleged acts of the members of the Bajrang Dal, RSS and Vishwa Hindu Parishad, in preventing Muslim girls from wearing Burkha, and if they wear Burkha, not allowing them to enter the school and college premises, as the case may be. This is again another instance of highhanded, unconstitutional, illegal act on the part of these groups. If what is reported in the press is true, it would undeniably violate the basic human rights, fundamental rights guaranteed to the Indian citizens. The Commission is very much concerned and upset by these developments in recent months in Dakshina Kannada District, which are taking place quite often.

The Government's attention is drawn to what the Commission has said in its order dated 28.01.2009 in HRC.NO.381/SM-70/09 & connected matters, HRC.NO.702/SM-150/09 & connected matters dated 07.02.2009 &

HRC.NO.746/SM-178/09 dated 12.02.2009.

Let a copy of this order with copies of the petitions be transmitted to:

1. The Chief Secretary, Government of
Karnataka, Vidhana Soudha
Bangalore – 560001.
2. Addl. Chief Secretary and Principal
Secretary, Home Department, Government of
Karnataka, Vidhana Soudha,
Bangalore – 560001
3. The Director General and Inspector
General of Police, Nrupathunga Road,
Bangalore – 560001, with a direction to
Submit a detailed report within three
Weeks from the date of receipt of the Notice

List these cases with HRC.NO.381/SM-70/09 & connected matters, HRC.NO.702/SM-150/09 & connected matters and HRC.NO.746/SM-178/09.

Sd/-

(Dr. Justice S.R. Nayak)

Chairperson

HRC.NO.702/SM-150/09 to

HRC.NO.725/SM-173/09

07.02.2009

Dr.Justice S.R. Nayak,

ORDER

It is widely reported in the press that a girl, Shruthi by name, a II PU student of St. Aloysius College in Mangalore, who is the daughter of CPI (M) MLA from Manjeshwar in Kerala State, Sri. C.H. Kunhambu, and a boy, Shabeeb, a resident of Kasargod, belonging to a minority community, were traveling in a private bus

and when the bus reached Mahaveer Circle, (Pump well) Circle, they were forcibly dragged out of the bus by a group of persons, allegedly belonging to Hindutva outfit, and they were taken in an auto rickshaw and after an hour long ride, they were made to alight at a place. According to the press reports, this was done by the members of the said group simply because in the bus, they were talking to each other and they did not want the girl to speak to a Muslim boy. If what is reported in the press is a correct version, it should shock the conscience of our civil society. The highhanded, apparently illegal act of the members of the group has the effect of shattering the very foundation of our civil society, the Constitution and all our cherished values like secularism, democracy, rule of law and accountability in governance. This is not an isolated instance in Dakshina Kannada District. In recent times, Dakshina Kannada District has become notorious for such instances and episodes. There is no need for the commission to reiterate what we have already stated. Attention of the Government is drawn to what the Commission has stated in its order dated 28.01.2009 passed in HRC.NO.381/SM-70/09 & connected matters.

If the State Government and the law enforcing authorities at Dakshina Kannada District level cannot deal with these situations effectively and with iron hands, the poisonous seeds of distrust and in recent times, Dakshina Kannada District has become notorious for such instances and episodes. There is no need for the commission to reiterate what we have already stated. Attention of the Government is drawn to what the Commission has stated in its order dated 28.01.2009 passed in HRC.NO.381/SM-70/09 & connected matters.

If the State Government and the law enforcing authorities at Dakshina Kannada District level cannot deal with these situations effectively and with iron hands, the poisonous seeds of distrust and hatred ness already sown in the minds of the people of Dakshina Kannada District, in course of time, we are afraid now, blow into violent acts tearing secular fabric of our society into pieces resulting in irreparable social disharmony and hatred ness. The Commission hopes and trusts that the Government of Karnataka, without any further loss of time, will take immediate and prompt actions to contain such kinds of menace in Dakshina Kannada District, in particular, and other districts in the state in general.

After the recent visit of Dakshina Kannada District it is strongly felt by the Commission that with the personnel occupying positions in Dakshina Kannada District Police Unit, it is not possible to contain these inds of menace or to bring about social harmony among various religious groups in the district. There is an imminent need to transfer the present incumbent of the office of the Superintendent of Police and other police officials who have been in the district for quite long time and some others who, though transferred earlier, have come back to the district on

re transfer. It is the considered opinion of the Commission that without such a reshuffle in the Dakshina Kannada District Police Unit, it is not possible to have any discernable change in maintaining law and order situation in the district.

Let a copy of this order be transmitted to:

The Chief Secretary, Government of Karnataka, Vidhana Soudha, Bangalore – 560001;

Let a copy of this order be transmitted to:

The Chief Secretary, Government of Karnataka, Vidhana Soudha, Bangalore – 560001;

The Addl. Chief Secretary and Principal Secretary, home Department, Government of Karnataka, Vidhana Soudha, Bangalore – 560001;

The Director General and Inspector General of Police, Nrupathunga Road, Bangalore- 560001, for their response/report with regard to the incidence of kidnapping of the daughter of Kerala MLA, within three weeks from the date of receipt of the notice.

The Chief Secretary to Government is also directed to submit a report with regard to the steps already taken/ proposed to be taken by the Government in pursuance of this order of the Commission recommending transfer of certain officers in Dakshina Kannada District Police Unit.

Club this case with HRC.NO.381/SM-70/09 & Connected matters HRC.NO.702/SM-150/09 & connected matters & HRC.NO.746/SM-178/09 and post them together.

Sd/-

(Dr. Justice S.R. Nayak)

Chairperson

