

Date: October 29, 2021

To,
Shri Iqbal Singh Lalpura
Hon'ble Chairperson,
National Commission for Minorities
Government of India
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CC: Shri Siddharth Kishore Dev Verman
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Subject: Complaint against vandalisation of mosques, houses, shops in Tripura by right-wing groups

Dear Sir,

We, at Citizens for Justice and Peace (CJP), Mumbai, are writing to you, as we are concerned about a series of grave events happening in the State of Tripura that need your immediate attention. Several mosques, houses and shops belonging to Muslims have been vandalised, attacked and ransacked in retaliation to the anti-Hindu attacks in Bangladesh according to sections of the media. We urge you take cognisance of this matter at the earliest and conduct an enquiry into the incident and bring the culprits to justice, as empowered under the National Commission for Minorities Act, 1992. While some reports say that a woman police officer did try and stop the vandalising and targeted violence, clearly this has not put an end to the fear, intimidation and targeting experienced by the minority community in Tripura.

Background of the incident

Incidents of vandalism were reported from Hindu temples in Chandpur's Hajiganj, Chattogram's Banskhali and Cox's Bazar's Pekua, in Bangladesh during the Durga Puja festival. Bangladesh's Prime Minister Sheikh Hasina said that the people behind the violence during Durga puja in Cumilla city will be hunted down and given "appropriate punishments" in order to stop the recurrence of such communal acts.

In response, the Bangladesh government instantly deployed paramilitary forces in 22 districts, soon after three people were reportedly killed and many others injured in the communal violence. At least three people were killed and 60 injured including journalists, about the communal violence during Durga Puja celebrations in Chandpur's Hajiganj Upazila. Other reports added that in Cumilla, at least 50 people were injured when a mob of religious extremists clashed with law enforcers in the Nanua Dighirpar area earlier, when the 'reports' of 'demeaning

the Holy Quran' at a Puja Mandap, was first shared. **This report has been annexed hereto as Annexure A.**

Facts of the present complaint

After the news of Bangladesh surfaced, Tripura is seeing **outbreaks of retaliatory targeted violence** where Muslims are being targeted and certain, homegrown extremist groups are taking the law into their own hands. Muslim families have been living in fear and distress over the past few days. Over 15 mosques have been reportedly vandalised and shops only owned by Muslims have been ransacked by some right wing goons. The districts affected in the state reportedly are:

- 1) Unakoti
- 2) North Tripura
- 3) West Tripura
- 4) Sepahijala
- 5) Gomati

In Unakoti, the Ratabari, Palbazaar mosques were vandalised, stones were pelted at some Muslim houses, Muslim hawkers have been attacked and forced to flee the area. The members of the Vishwa Hindu Parishad, a right-wing group, hoisted a flag at Kailashahar town mosque and also on a Muslim businessman's house-Abdul Mannan, without his consent.

In North Tripura, a mosque in Dharmanagar was attacked, and the Panisagara mosque was arsoned. Further, Muslim houses and shops were arsoned at Rowa, Panisagar. An advocate, Abdul Basit's house was vandalised and azaan (call to prayer) was disturbed and stopped in the Dharmanagar town mosque.

In West Tripura, the mosque in Chandrapur, Agartala was vandalised, Ramnagar mosque was vandalised, its CCTV cameras were broken.

In Sepahijala, a mosque was burnt down in Naraura, Bishalgarh. In Gomati district, Udaipur, the Dorga Bazaar Mosque was attacked, muslim shops were vandalised and section 144 of the Code of criminal procedure was put in place in Maharani after an alleged violent protest.

CJP has gathered this information from Maktoob Media that has been covering issues on the ground in the State of Tripura.

On October 26, 2021, a complaint was filed to Panisagar police station by seven Muslims including two women residing in the Roa locality in Panisagar sub-division in North Tripura, 155 km from the state capital Agartala about the incidents that have transpired over a few days. In the complaint they have also alleged that the Vishwa Hindu Parishad members have molested Muslim women.

The complaint states that a rally had happened in Panisagar organised by Vishwa Hindu Parishad which was moving by Assam-Agartala roads to Chamtila via Roa Bazar. Some miscreant groups from the rally allegedly set fire on shops. Additionally, they allegedly invaded homes of residents living near the market (Roa Bazar). They also sexually molested women. They had planned to attack Roa Jame Mosque.

On October 26, the grocery stores, ration shops, and godown owned by one Nizamuddin and one Amiruddin were set on fire during the Vishva Hindu Parishad rally. They burnt down Amiruddin's three shops -two grocery stores, and a godown- which led to a loss of at least Rs 10 lakh. Amiruddin is allegedly the sole earning source in his 13-member family.

The right-wing mobs were wearing saffron clothes and carried swords raising anti-Muslim slogans during protests organised by Viswa Hindu Parishad, Hindu Jagran Manch, Bajrang Dal, and Rashtriya Swayamsevak Sangh. There were around 3,500 people in the rally where anti-Muslim slogans were chanted.

This news report by Maktoob Media has been annexed hereto as Annexure B.

Some videos also started doing the rounds on social media indicating the level of mob violence against the minorities of Tripura. There were visuals of grocery and ration shops being burnt in Rowa, on October 26. Another video shows a destroyed mosque property (name and area unknown). Another video on social media, shows several people participating in a rally where the groups can be seen chanting "Mohammad mere baap ka naam, nahi chalega nahi chalega Tripura mein mullagiri [slang used to describe Muslims], nahi chalega chalega". Lastly, in another gruesome video, one can see two men, armed with swords brutally beating up a man in a blue kurta, leaving him motionless [presumably dead], with screams in and around the residential buildings.

These videos were downloaded by CJP on October 28, 2021 and are annexed hereto as Annexures C, D, E, and F. CJP doesn't vouch for the veracity of the videos and hence, urges the commission and the concerned authorities to examine and investigate the accuracy of the videos.

No arrests in the matter have been made yet. The state police have announced that it has provided "protection to mosques in sensitive areas" and has also warned against posting provocative messages on social media, and added "that the situation is under control". They took to Twitter on October 27 to state, "During yesterday's protest rally in Panisagar, North Tripura, no masjid was burnt and the pictures being shared of burning or damaged masjid or collection of sticks etc are all fake and are not from Tripura. They may be of some countries."

The Police has also tweeted, "We request people of all communities not to support & subscribe to such fake IDs and do not spread such fake pictures. We have already registered cases and Legal action will be taken against all those spreading fake news and communally sensitive rumours."

The tweet may be read here: https://twitter.com/Tripura_Police/status/1453410398422462465

Impact of such incidents

The repeated attacks, even though has been allegedly stopped as also claimed by the Tripura Police, needs thorough investigation and the culprits must be brought to justice. The minority

community is bearing the brunt of such exclusion and ostracisation just on the basis of their religion.

An online news portal, *The Wire* reported that on October 25, Tripura director general of police (DGP) V.S. Yadav said some “unknown miscreants” tried to disrupt communal harmony in the state but that their attempts were foiled due to the deployment of police forces. However, there are eye witness reports that clearly state that this is a part of religious violence unleashed by right wing mobs belonging to Vishwa Hindu Parishad since it was in response to the violence faced by Hindus in Bangladesh. Thus, the intervention of this Hon’ble Commission has become pertinent and imperative at this juncture to ensure that independent inquiry is carried out in this matter and the issue is rightly identified.

The police in North Tripura has already taken a stand that the law and order situation in the state is normal, contrary to the “fake news” spread by vested interests; while reported incidents indicate the contrary. **Thus, we humbly urge the Hon’ble Commission to take cognizance of these scattered incidents which have put religious harmony in the state in jeopardy.**

The Madras High court in **Mohan C Lazarus vs State** (Crl. OP. No. 250 of 2021) held, “The whole object of religion is to enable humans to evolve themselves into better beings... Unfortunately, in many instances, people get blindly attached to their religious beliefs and tend to make demeaning statements against other religions. They do not realise that spirituality is not a medium through which each religion competes with each other to show its superiority over the other.”

But this has been completely ignored and people have been targeted for their religious identity. In **Amish Devgan vs Union of India**, W.P Crl. No. 160 of 2020, the supreme court had said, “The unity and integrity of the nation cannot be overlooked and slighted, as the acts that ‘promote’ or are ‘likely’ to ‘promote’ divisiveness, alienation and schematism do directly and indirectly impinge on the diversity and pluralism, and when they are with the objective and intent to cause public disorder or to demean dignity of the targeted groups, they have to be dealt with as per law.”

In the spirit of such judicial precedents, it is imperative on the state to control and curb such situations which could be a call for genocide. These alleged attacks play into the deep communal divide the authorities are ignoring and we are on the verge of unrest in the society. India as a democracy is committed to an ideology of toleration but such attacks and the increasing frequency of such attacks is dangerous and needs immediate action.

These incidents have gone beyond hate speech and are manifesting into violent acts against minorities who are not even perceived as victims anymore. The lawlessness is forcing people to flee their homes and some are losing their source of livelihood, a price they are paying for the identity and religion attached to them.

In **Tehseen S Poonawalla vs Union of India** (W.P Civ. No. 754 of 2016), the Supreme Court has held that law’s main goal is to maintain order in the society and not allow citizens to take control of the law. It was held,

“potential.....The majesty of law cannot be sullied simply because an individual or a group generate the attitude that they have been empowered by the principles set out in law to take its

enforcement into their own hands and gradually become law unto themselves and punish the violator on their own assumption and in the manner in which they deem fit.”

“Mob vigilantism and mob violence have to be prevented by the governments by taking strict action and by the vigil society who ought to report such incidents to the state machinery and the police instead of taking the law into their own hands. Rising intolerance and growing polarisation expressed through spate of incidents of mob violence cannot be permitted to become the normal way of life or the normal state of law and order in the country. Good governance and nation building require sustenance of law and order which is intricately linked to the preservation of the marrows of our social structure. In such a situation, the State has a sacrosanct duty to protect its citizens from unruly elements and perpetrators of orchestrated lynching and vigilantism with utmost sincerity and true commitment to address and curb such incidents which must reflect in its actions and schemes.”

Violations

The repeated incidents of mosque vandalisation and hate speech against Muslims in the State show a complete breakdown of the rule of law and Constitutional governance. As reiterated, the Police has cleared the stance that no violence has unleashed and that the Panisagar mosque is safe and secure.

But since the incidents reveal various brazen violations of the Indian Penal Code, it is of utmost importance of the hon’ble commission to look into it and conduct a full-fledged investigation. They amount to violent and direct attacks to hurt and alienate the minority community of the State.

The violations include the following sections of the Indian Penal Code:

149. Every member of unlawful assembly guilty of offence committed in prosecution of common object —If an offence is committed by any member of an unlawful assembly in prosecution of the common object of that assembly, or such as the members of that assembly knew to be likely to be committed in prosecution of that object, every person who, at the time of the committing of that offence, is a member of the same assembly, is guilty of that offence.

146. Rioting —Whenever force or violence is used by an unlawful assembly, or by any member thereof, in prosecution of the common object of such assembly, every member of such assembly is guilty of the offence of rioting.

142. Being member of unlawful assembly —Whoever, being aware of facts which render any assembly an unlawful assembly, intentionally joins that assembly, or continues in it, is said to be a member of an unlawful assembly.

153. Wantonly giving provocation with intent to cause riot—if rioting be committed; if not committed —Whoever malignantly, or wantonly by doing anything which is illegal, gives provocation to any person intending or knowing it to be likely that such provocation will cause the offence of rioting to be committed, shall, if the offence of rioting be committed in consequence of such provocation, be punished with imprisonment of either description for a term which may extend to one year, or with fine, or with both; and if the offence of rioting be

not committed, with imprisonment of either description for a term which may extend to six months, or with fine, or with both.

295A: Deliberate and malicious acts, intended to outrage religious feelings of any class by insulting its religion or religious beliefs —Whoever, with deliberate and malicious intention of outraging the religious feelings of any class of 7 [citizens of India], 8 [by words, either spoken or written, or by signs or by visible representations or otherwise], insults or attempts to insult the religion or the religious beliefs of that class, shall be punished with imprisonment of either description for a term which may extend to 3 [three years], or with fine, or with both.]

153A. Promoting enmity between different groups on ground of religion, race, place of birth, residence, language, etc., and doing acts prejudicial to maintenance of harmony.— (2) Offence committed in place of worship, etc.—Whoever commits an offence specified in sub-section (1) in any place of worship or in any assembly engaged in the performance of religious worship or religious ceremonies

153B. Imputations, assertions prejudicial to national integration.—(1) Whoever, by words either spoken or written or by signs or by visible representations or otherwise,— (2) Whoever commits an offence specified in sub-section (1) in any place of worship or in any assembly engaged in the performance of religious worship or religious ceremonies, shall be punished with imprisonment which may extend to five years and shall also be liable to fine.]

It is disheartening that a rally of 3,500 persons was allowed in the middle of a pandemic with brazen anti-Muslim sloganeering, and no action has been taken yet. This has a chilling effect on constitutional protections of people under articles 14, 15 and 21.

Prayers

We humbly urge this Hon'ble Commission to:

1. Conduct a full-fledged inquiry/investigation into the vandalism and targeting of Muslim shops and homes, and publish a comprehensive report on it for widespread distribution in the country.
2. Take cognizance of the attack on the Muslim families in the state under section 9 (1) (d) of the National Commission for Minorities Act, 1992
3. Undertake studies into the various problems arising out of such discrimination against minorities and take up such matters with appropriate authorities under section 9 (1) (e) of the National Commission for Minorities Act, 1992
4. Ensure that the authorities ensure physical protection to members of the religious minorities in Tripura where a culture of violence-driven impunity appears to prevail.
5. Issue an immediate statement –pending the deeper investigation/inquiry --condemning these attacks urging police to take stringent action to ensure the immediate release of those innocents in custody.

6. Take any other action as it may deem fit, including pursuing the issues with other statutory authorities and even the courts if need be.

Yours sincerely,

Nandan Maluste, CJP President

Teesta Setalvad, CJP Secretary

Annexures:

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| Annexure A | Sabrang report dated October 19, 2021 |
| Annexure B | Maktoob Media report dated October 27, 2021 |
| Annexure C | CJP downloaded video on October 28, 2021 |
| Annexure D | CJP downloaded video on October 28, 2021 |
| Annexure E | CJP downloaded video on October 28, 2021 |
| Annexure F | CJP downloaded video on October 28, 2021 |