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India: Treatment of political activists and members of opposition parties in Punjab; treatment of perceived supporters of Sikh militancy by authorities (2017-April 2018)

Research Directorate, Immigration and Refugee Board of Canada, Ottawa

1. Overview

According to sources, Punjab's 2017 state assembly elections marked the end of a 10-year rule of the Shiromani Akali Dal (SAD)-Bharatiya Janata Party (BJP) alliance (FirstPost 11 Mar. 2017; *The New Indian Express* 27 Dec. 2017). The Election Commission of India indicates that the Indian National Congress [also known as Congress] won Punjab's 2017 state assembly elections, with 77 out of 117 seats and 38.5 percent of the vote (India [2017]). FirstPost, an Indian news website, indicates that Punjab's 2017 state assembly elections took place on 4 February 2017, with "a re-poll in [a] few polling stations on 9 February" (FirstPost 11 Mar. 2017). The Election Commission of India states that the Aam Aadmi Party (AAP) arrived second in the 2017 state assembly elections by taking 20 seats out of the 112 seats it contested, and winning 23.7 percent of the vote (India [2017]). Sources indicate that the alliance between the SAD and the BJP won 18 seats and approximately 30 percent of the vote (FirstPost 11 Mar. 2017; India [2017]), with 15

seats going to the SAD and 3 to the BJP (India [2017]). The Chief Minister of Punjab is Captain Amarinder Singh, Congress's leader (FirstPost 16 Mar. 2017; *The Times of India* 27 Feb. 2018). According to the *Tribune*, an Indian daily newspaper, Sukhpal Khaira of the AAP is the leader of opposition in Punjab (*The Tribune* 20 July 2017). The *Hindustan Times*, an Indian daily newspaper, indicates that the opposition in the Punjab assembly is shared by the AAP and the SAD, and led by the AAP (*Hindustan Times* 12 Mar. 2017).

2. Treatment of Political Activists and Members of Political Parties

In correspondence with the Research Directorate, a representative of the Centre for Public Affairs (CPA), a Noida-based research centre on public policies [1], indicated that any party that accepts the Indian constitution and the unity of the country "has full rights to organize rallies, conferences, meetings and seminars to express its views and political opinions, howsoever critical it is of the government and of the ruling party" (CPA 7 May 2018). In other correspondence with the Research Directorate, a representative of the World Sikh Organization of Canada indicated that while the proponents of the SAD and of the BJP do not face "significant oppression or persecution," there have been some clashes between SAD and Congress members in which some "allegations of political favouritism have been made" (World Sikh Organization of Canada 14 May 2018).

Sources indicate that, on 1 May 2017, four Faridkot [west of Ludhiana] councillors of the SAD-BJP alliance were put in "illegal" detention by the Zirakpur [northeast of Patiala] police (*The Times of India* 3 May 2017a; Punjabtribune.com 2 May 2017). According to Punjabtribune.com, a Jalandhar-based news portal, the police reportedly invoked "secret information" for the detention, though the SAD's secretary and spokesperson, Dr. Daljit Singh Cheema, stated that the Faridkot member of the legislative assembly wanted the councillors to support a no-confidence vote moved by Congress against the Faridkot municipal councillor, Uma Grover (Punjabtribune.com 2 May 2017). The *Times of India*, an Indian daily newspaper, reports that Congress failed to pass the no-confidence vote (*The Times of India* 3 Mar. 2017b). Punjabtribune.com notes that, according to the SAD, Congress leaders are committing "political murders" in the "full knowledge" of the Chief Minister, and it adds that the SAD alleged that the Congress administration and the police failed to work independently (Punjabtribune.com 2 May 2017).

The *Tribune* reports that, on 7 January 2018, Punjab's opposition leader Sukhpal Singh Khaira and six members of the legislative assembly led workers affiliated with AAP in a protest against Punjab's government debt waiver program for farmers (*The Tribune* 8 Jan. 2018). According to the same source, the AAP leaders were taken into preventive custody by the police and were released after a couple of hours (*The Tribune* 8 Jan. 2018). Corroborating information could not be found among the sources consulted by the Research Directorate within the time constraints of this Response.

The *Times of India* indicates that, following the election of Congress in Punjab's 2017 state assembly elections, several clashes between groups of political activists occurred across the state (*The Times of India* 3 May 2017a). According to the same source, a SAD leader, Daljit Singh Cheema, accused Congress of "unleashing violent attacks on [SAD] workers" (*The Times of India* 3 May 2017a). The same source reports that, in April 2017, there have been allegations that relatives of local Congress members of the legislative assembly led "power struggles" to control truck unions in Bathinda and Jalandhar and quotes a former union leader as stating that

"[t]he political party in power eyes truck unions. Each truck union has its own territory and it is alleged that [the] president charges 'goonda [thug] tax' from each truck depending upon the load and issues a slip allowing it to pick [up] the load." (*The Times of India* 3 May 2017a)

The *Times of India* article indicates the following incidents of violence in the state of Punjab:

- On 12 March 2017, groups from Congress and the SAD clashed over the control of local truck union, and resulted in the death of two Congress supporters;
- On 14 March 2017, a SAD-affiliated worker was shot dead by Congress workers in the village of Phero-chichi (near Qadian, north of Ludhiana) in Gurdaspur;
- On 18 March 2017, a Congress supporter was injured in a clash with SAD-affiliated workers in the village of Agwan (near Dera Baba Nanak, in Gurdaspur) (*The Times of India* 3 May 2017a).

Corroborating information could not be found among the sources consulted by the Research Directorate within the time constraints of this Response.

Media sources report the following incidents of violence between different political groups in the state of Punjab:

- On 19 April 2017, the son of a former SAD sarpanch [elected village official] of the village of Khiali Chahlanwali [south of Amritsar] was shot dead by individuals reportedly affiliated with Congress; police arrested and "booked" 18 persons (*The Tribune* 21 Apr. 2017);
- On 2 May 2017, a father and his son, both affiliated with the SAD, were killed in the village of Rukan Shah Wala [east of Ferozepur] when Congress activists fired gunshots at them; another family member, then vice president of SAD's local unit, was injured (*The Times of India* 2 May 2017);
- On 22 October 2017, the son of SAD district chief of Muktsar (west of Ludhiana) was attacked and 13 persons were "booked" by police in the city of Malout [southwest of Ludhiana], including four Congress leaders; the attack is reportedly the fallout of an old rivalry that involved accusations of "booth capturing" (*The Tribune* 24 Oct. 2017);
- On 24 February 2018, two persons were reportedly injured in a clash between SAD-affiliated workers and Congress-affiliated workers outside a public school when candidates from the SAD-BJP alliance and from AAP accused the ruling party "of capturing booths and misusing the government machinery in various wards" (*The Tribune* 25 Feb. 2018).

3. Treatment of Hindu Political and Religious Activists, Including Targeted Killings

FirstPost indicates that the "state of Punjab has been plagued by a series of political killings" since January 2016, "many of which remain unexplained and unsolved" (FirstPost 6 Nov. 2017). The same source explains that 10 attacks have claimed the lives of 15 members of non-Sikh religious groups (FirstPost 6 Nov. 2017). The *Hindustan Times* reports that nine murders of "right-wing, religious leaders" took place during that same period (*Hindustan Times* 7 Nov. 2017). Both sources explain that the modus operandi were similar in all the cases of killings: assailants on motorcycles shooting at targets from close range (FirstPost 6 Nov. 2017; *Hindustan Times* 7 Nov. 2017). FirstPost further explains that, according to Punjab's Director General of Police (DGP), Suresh Arora, assailants used "32 bore or nine-millimetre pistols, wore similar headgear, shot at the target from close proximity, brandished the gun in the air to instil fear and sped away on motorcycles" (FirstPost 6 Nov. 2017).

The *Hindustan Times* states that police "are hinting" that "extremist elements," with support from abroad, are trying to create "communal tension[s]" in Punjab (*Hindustan Times* 7 Nov. 2017). FirstPost indicates that, according to Arora, there is "a possibility that some terrorist organisation based in a foreign country" is responsible for the death of an activist from the Rashtriya Swayamsevak Sangh (RSS), Ravinder Gosain, though there is "no supporting evidence [that] has been found yet" (FirstPost 6 Nov. 2017). The *Hindustan Times* reports that the individuals that

have been killed belonged to groups that "do not pose any threat," but that are "rivals to Sikh hardline groups" (*Hindustan Times* 7 Nov. 2017).

Sources indicate the following cases of political killing since January 2016:

- In January 2016, an RSS-affiliated individual was shot at in Ludhiana, and escaped unhurt (FirstPost 6 Nov. 2017) or suffered "minor injuries" (*Hindustan Times* 7 Nov. 2017);
- In April 2016, a leader of the Namdhari sect was killed near Ludhiana (FirstPost 6 Nov. 2017; *Hindustan Times* 7 Nov. 2017);
- In April 2016, a leader of Shiv Sena [a political party present in Punjab] was shot dead in Khanna [southeast of Ludhiana] (*Hindustan Times* 7 Nov. 2017; FirstPost 6 Nov. 2017); FirstPost explains that it was the head of the "labour wing of Shiv Sena's Punjab unit" (FirstPost 6 Nov. 2017);
- In August 2016, a retired leader of the RSS was shot dead in Jalandhar (FirstPost 6 Nov. 2017; *Hindustan Times* 7 Nov. 2017);
- On 14 January 2017, the district president of Shri Hindu Takht was shot dead outside of Durga Mata temple in Ludhiana (*Hindustan Times* 7 Nov. 2017); similarly, FirstPost reports that the "[p]ublicity manager of Hindu outfit Sri Hindu Takht" was "gunned down" in Ludhiana in January 2017 (FirstPost 6 Nov. 2017);
- In January 2017, "twin bomb blasts" targeting a relative of Congress candidate and "chief" of Dera Sacha Sauda (DSS) claimed six lives, though the relative "barely escape[d] death" (FirstPost 6 Nov. 2017);
- In February 2017, a father and son, both DSS followers, were shot dead near Ludhiana (FirstPost 6 Nov. 2017; *Hindustan Times* 7 Nov. 2017);
- A pastor was shot dead in Ludhiana on 15 June 2017 (*Hindustan Times* 7 Nov. 2017) or in July 2017 (FirstPost 6 Nov. 2017);
- In October 2017, RSS leader Ravinder Gosain was shot dead in Ludhiana (FirstPost 6 Nov. 2017; *Hindustan Times* 7 Nov. 2017; *The Tribune* 31 Oct. 2017);
- In October 2017, the district president of Hindu Sangharsh Sena was shot dead (FirstPost 6 Nov. 2017; *Hindustan Times* 7 Nov. 2017; *The Tribune* 31 Oct. 2017).

4. Treatment of Perceived Supporters of Sikh Militancy by Authorities

An October 2017 FirstPost article reports that the Punjab police "believes [that] militancy is returning to the state" (FirstPost 31 Oct. 2017). According to the same source, on 29 September 2017, police arrested seven young individuals from Ludhiana for being part of the Babbar Khalsa International, a banned terror group, and seized "a 32 bore pistol, two 315 bore pistols and cartridges from the accused" (FirstPost 31 Oct. 2017). The same source reports that the police stated that they had "proof" that the accused were "talking to terrorists and working for them as sleeper cells," and quotes Ludhiana police commissioner as stating that "[t]he youth have no criminal background[,] but their operations were funded by Surender Singh Babbar of Babbar Khalsa International[,] who operates from England" (FirstPost 31 Oct. 2017).

Similarly, the *Hindustan Times* states that, in 2017, police put out of action "over 10 Khalistani modules and arrested nearly 50 persons on charges of trying to revive Khalistani militancy and planning attacks in various parts of the state" (*Hindustan Times* 7 Nov. 2017). In another news article, the *Hindustan Times* reports that, according to the police, young Sikhs are "radicalised" on social media by Khalistani groups and they are recruited to kill specific targets (*Hindustan Times* 9 Jan. 2018). According to the same source, in August 2017, police "found an 18-year-old Ludhiana girl allegedly brainwashed through Facebook by fundamentalists in Canada and incited to kill Hindu leaders" (*Hindustan Times* 9 Jan. 2018). The same source adds that, on 4 November 2017, five suspects were arrested, and one of them, from the UK, told police that the Khalistan

Liberation Force (KLF) recruits young Sikhs, on behalf of the "Pakistani spy agency Inter-Services Intelligence (ISI)," for "anti-India activities" (*Hindustan Times* 9 Jan. 2018).

However, FirstPost indicates that Gurnaam Singh, a human rights activist, "alleges that the youth have been made scapegoats to a state-sponsored terrorism" (FirstPost 31 Oct. 2017). The same source quotes Singh as stating that

"[t]errorism has been the past of Punjab and people have always been concerned about their safety and lived in fear of its revival. Every government, be it Shiromani Akali Dal or the incumbent Congress government has used this tool to keep people engaged in non-productive issues." (FirstPost 31 Oct. 2017)

The same source quotes a relative of one of the accused as stating that

"[t]hey are not terrorists but youths with a religious bent of mind and a deep faith in the Sikh religion. Whenever there was a malicious and derogatory campaign on social media against Sikhism they used to answer the narrative and that just became their fault." (FirstPost 31 Oct. 2017)

Corroborating information could not be found among the sources consulted by the Research Directorate within the time constraints of this Response.

This Response was prepared after researching publicly accessible information currently available to the Research Directorate within time constraints. This Response is not, and does not purport to be, conclusive as to the merit of any particular claim for refugee protection. Please find below the list of sources consulted in researching this Information Request.

Note

[1] The CPA conducts and promotes research on matters of societal concern, develops policy options at the national and international level, and carries out research on social, economic and political issues (CPA n.d.). It has received funding from the Indian Council of Social Science Research, the Indian Ministry of External Affairs, the Japan Foundation, the Maison des sciences de l'homme de Paris, the Centre de recherches sociologiques sur le droit et les institutions pénales, l'Ambassade de France in New Delhi and the UN's Development Programme (CPA n.d.).

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Additional Sources Consulted

Oral sources: Assistant professor of political science at Jangipur College who researches political violence in Punjab; Public Affairs Centre India; Punjab State Human Rights Commission; Society for the Study of Peace and Conflict; World Sikh Organization of Canada.

Internet sites, including: Amnesty International; ecoi.net; Human Rights Watch; Public Affairs Centre India; Sikh Syasat News; Society for the Study of Peace and Conflict; UN – Refworld; US – Department of State; World Sikh Organization of Canada.

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