

# **Cow Vigilantism: Crime, Community and Livelihood**

**January 2016 to March 2018**

Cow vigilantism in Nagpur: Man beaten up on suspicion of carrying beef in Nagpur संरक्षित मांस के चक्कर में ट्रक को रोका हंगामा I TWO LYNCHED FOR COW SMUGGLING Monday, 28 August 2017 |PNS|Kolkata. I Dalits thrashed for skinning dead cow in Gujarat. Closing meat shops in Greater Noida: Gau Raksha Dal head arrested. मुस्लिम दूध कारोबारी को तस्कर बता कथित गोरक्षकों ने छीनीं 51 गाय After a crowd accused Hayat Rabbani hotel of serving beef, it was sealed for violating licence rules.

हिन्दू संगठनों ने गाय तस्कर दबोचा, दो भागे

**People's Union for Democratic Rights (PUDR)  
March 2018**

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## Contents

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	<i>Page No.</i>
Preface	
1. Contexts Table: Lawlessness, Laws and State Governments	1
2. Striking Terror: Vigilante Acts Box: Illustrative Examples of Vigilante Protests	5
3. Authorizing Crimes: Criminalizing Livelihood Table: License to Kill	9
4. Cow Vigilantism: Class and Community	19
5. Stories of Connivance: Police, Courts and Vigilantes Box: An Incident that Tells it All	25
6. Conclusion Table: Caste Vigilantism: Attacks on Dalits	29

See “Cow Vigilantism Tracker”, a PUDR database on incidents from January 2016, at: [www.pudr.org](http://www.pudr.org)

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## Preface

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From 2015 there has been a spate of incidents of violence and intimidation around issues of cow slaughter and beef. These ranged from the lynching of Mohammad Akhlaq for alleged cow theft, slaughter and eating beef in Dadri in Uttar Pradesh, to Zahid Ahmed being burnt alive on the Jammu and Kashmir highway on suspicion of transporting cow carcasses in his truck, to the shutting down of the Kerala Bhavan canteen in Delhi, on allegations of serving beef biryani. It is against this backdrop that from January 2016, PUDR started recording incidents of violence, harassment and coercion around cows and beef. Between January 2016 and March 2018, PUDR documented 137 such incidents across 22 states, based on media reports in English and Hindi as well as fact-finding reports. We have documented 20 instances of reported deaths in which 29 persons died and 13 cases of attacks on Dalits, overwhelmingly in Gujarat. The list is indicative, not complete.

Our purpose was to keep track of the frequency and nature of the attacks and to factually establish the communal Hindutva agenda together with the partisan role of the state. In the course of documentation, we came across a wide array of incidents where the forms of targeting were quite diverse. These ranged from murder, assault, sexual violence, stripping, arson, vandalism, to interception, seizure of animals and vehicles, extortion, harassment, humiliation, forced closure of meat shops and eateries, etc. In all of these, gaurakshaks—organized or informal, acting on behalf of the police or otherwise—have intercepted or aided interception of people on suspicion of slaughter, possession and transportation of beef. Unlike the conventional media driven restricted and confined account of vigilantism—murder, assault and degrading treatment—the present report offers a comprehensive account of the political economy of vigilantism. The polity of vigilantism—the legal, social, economic and political structures of violence—forms the focus of the analyses.

What was immediately clear from the data was that the majority of attacks were against Muslims and to a lesser extent, Dalits. The livelihood of all the victims was related to cattle and beef. The vigilantes belonged to dominant sections of the Hindu community, with the criminal attacks thriving on state patronage and anti-cow slaughter legislations. Our approach to victimisation through cow vigilantism has, therefore, been two pronged: one, to bring out the clearly visible communal pattern of targeting of Muslims through allegations of cow slaughter and ban on beef. And two, the anti-Dalit character of cow vigilantism which seek to maintain caste inequalities through violent attacks and coercion.

The following report analyses the forms of cow vigilantism which have emerged in the last two years.

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## I. Contexts

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The incidents of cow vigilantism have risen alarmingly since the BJP government came to power at the Centre in 2014. The inter-relation between the BJP being in power and cow vigilantism is apparent from the PUDR data (Table 1). We have recorded 137 incidents, 121 of which have occurred in the 14 states held by the BJP either independently or in coalition between 2016 and now. In the 22 states in which incidents were recorded between January 2016 and March 2018, the BJP has been in power in nine states since before 2016 while in five others it came to power subsequently.

In BJP ruled states, at least 93 incidents occurred during the time the BJP formed the state governments. The three incidents in Assam took place after BJP formed the government in the state in May 2016. The three incidents in Uttarakhand occurred after BJP came to power in February 2017. Three incidents took place in Jammu and Kashmir (J & K), where the BJP is in alliance with the People's Democratic Party (PDP). In February 2017 the Shiromani Akali Dal (SAD)-BJP combine lost the elections, but significantly all five incidents of vigilantism in Punjab occurred during their rule. The correlation between electoral power and cow vigilantism indicates that gauraksha i.e. cow protection is a significant plank of the BJP's Hindutva agenda which is being aggressively furthered through state power.

In contrast in Uttar Pradesh (UP) where the BJP came to power in March 2017, only eight out of 32 incidents in the state have occurred

during this period. However, this seeming anomaly in the correspondence between electoral power and cow vigilantism in UP can be explained by the fact that cow protection has been a long-term agenda of the RSS and related Hindutva organisations, such as Vishwa Hindu Parishad (VHP) founded in Allahabad as early as 1966 and the Hindu Yuva Vahini founded by the current Chief Minister, Yogi Adityanath, in 2002. Bajrang Dal, VHP, Gau Raksha Dals were named in media reports on cow vigilantism in UP even prior to the BJP forming the government, which indicates a long-term mobilisation around the issue. Some of the most affected areas are Dadri, the Agra-Mathura-Firozabad belt, Hathras and the highly communalised Muzaffarnagar and Aligarh.

We however came across stray incidents which suggest that the reach of cow vigilantism is not determined by electoral power or party affiliations alone. Incidents have occurred in states like Bengal ruled by non-BJP governments and where cow slaughter is not banned, and at least one incident in Madhya Pradesh in June 2017 where the group of vigilantes was headed by a Congress corporator.

The other manifestation of cow protection as part of a Hindutva agenda is the concerted revival and implementation of old cow protection legislations, most of which were enacted under Congress regimes, as well as systematic amendments to existing laws which make them more anti-people. Thus, in March 2015, the BJP government replaced the

Punjab Prohibition of Cow Slaughter Act, 1955 with the Haryana Gauvansh Sanrakshan and Gausamvardhan Act which made the punishments more severe. Similarly, the Maharashtra Animal Preservation Act 1995 was amended in 2015 along the same lines with punishments being enhanced. The amended law banned possession of beef and extended the prohibition on slaughter to bulls and oxen. Another BJP ruled state, Gujarat, recently brought in the Gujarat Animal Preservation (Amendment) Act, 2017 which has very stringent punishments for slaughter, possession and sale of beef. While the minimum and maximum punishments have been enhanced ten years and life imprisonment, respectively, the Act also punishes 'illegal' transportation of cow, beef or beef products to seven years of imprisonment. It allows transportation of cow and its progeny but with permission, that too only between 7 pm and 5 am. The laws in Maharashtra and Haryana now allow the state governments to 'authorise' organisations and individuals with added powers to intervene and take steps to protect the cow and its progeny. In November 2017, the Madhya Pradesh law was made more draconian by creating a new offence, that of abandoning of old or non-productive cows, thus saddling farmers with the financial burden of providing for these animals.

The pernicious pattern behind bringing in such laws came to the fore when in August 2017 a bill banning cow slaughter was tabled in Sikkim, which has so far been one of the eight states where cow slaughter is allowed. The Sikkim Prevention of Cow Slaughter Bill, 2017 which makes cow slaughter a cognisable

and non-bailable offence was moved by the ruling Sikkim Democratic Front, a coalition partner of the BJP's North-East Democratic Alliance. After the BJP government came to power in Uttar Pradesh in June 2017, the CM issued an order that cow slaughter and cattle "smuggling" cases be booked under National Security Act (NSA) and the Gangster Act. In Madhya Pradesh too, NSA has been used in case of alleged beef transportation. In all such cases the accused have been Muslims.

In May 2017, the Environment Ministry modified the central law on Prevention of Cruelty to Animals and issued new Rules which prohibited sale of cattle for slaughter at animal markets and permitted sale only to farmers. While the ostensible purpose was to check cruelty to animals, these Rules as part of a Central legislation would override state laws, including those which allow cow slaughter and trade in beef. In the absence of a central legislation prohibiting cow slaughter, which has been a long-term demand of Hindu fundamentalist organisations, the new Rules sought to fulfil the same political agenda through the back-door.

The draconian framework underlying punishments for alleged slaughter and smuggling necessarily enhances the power and importance of cow vigilantism in the name of protection. Given the political prominence of the issue, the task of documenting vigilantism becomes a necessary exercise for understanding repression in the name of the cow. It is against this political and legal background that the forms of attack against Muslims and Dalits whose livelihoods depend on cattle and beef are to be understood.

**Table: Lawlessness, Laws and State Governments**

States	Number of incidents of cow-vigilantism	What does the law criminalize	Party in power between January 2016 and December 2017
Uttar Pradesh	32	Slaughter of cow, calf, heifer, bull or bullock, their transport for slaughter, sale of beef, prohibited.	Samajwadi Party, BJP since March 2017
Haryana	16	Slaughter of cow and its progeny (including bull, bullock, ox, heifer or calf), transport for slaughter, and sale of beef, prohibited.	BJP
Madhya Pradesh	12	Slaughter of cow, calf of cow, bull, bullock, transport for slaughter, sale and possession of beef, prohibited.	BJP
Gujarat	12	Slaughter of cows, calves, bulls and bullocks totally prohibited. Slaughter of buffaloes permitted on certain conditions. Transport for slaughter, possession and sale of beef, transportation of animals from one place to another at night prohibited.	BJP
Rajasthan	11	Slaughter of all bovine animals (cow, calf, heifer, bull or bullock), export of bovine animal for slaughter, possession, sale, transport of beef and beef products, prohibited.	BJP
Maharashtra	9	Slaughter of cow, calf, heifer, their transport for slaughter, sale of beef, prohibited. Slaughter of buffalo permitted.	BJP
Jharkhand	8	Slaughter of cow, calf, bulls and bullocks prohibited. Possession and consumption prohibited.	BJP
Punjab	7	Slaughter of cow (including bull, bullock, ox, heifer or calf), and its progeny, transport for slaughter, and sale of beef, prohibited.	SAD- BJP alliance Congress from March 2017.
Bihar	4	Slaughter of cow, calf, bulls or bullocks prohibited. Possession of beef allowed.	JDU-RJD till July 2017; JDU-BJP since July 2017.
Bengal	3	Slaughter of all animals permitted on 'fit-for-slaughter' certificate given if animal is over 14 years of age and unfit for work or breeding. Possession of beef permitted.	Trinamool Congress
Delhi	3	Slaughter of cow, calf, bulls and bullocks, possession and sale of beef prohibited.	AAP
Jammu &	3	Voluntary slaughter of any bovine animal (ox, bull,	PDP-BJP alliance

States	Number of incidents of cow-vigilantism	What does the law criminalize	Party in power between January 2016 and December 2017
Kashmir		cow or calf), possession of beef, prohibited.	
Karnataka	3	Slaughter of cow, calf, she-buffalo, transport for slaughter, prohibited. Slaughter of bulls, bullocks and adult buffaloes permitted on 'fit-for-slaughter' certificate.	Congress
Assam	3	Slaughter of cows, calves, bulls, bullocks and buffaloes prohibited. Slaughter of all cattle allowed against 'fit-for-slaughter' certificates, to be given if cattle is over 15 years of age or has become permanently incapacitated.	Congress between Jan & May 2016; BJP since May 2016.
Tamil Nadu	2	Slaughter of cow (heifer and calf) banned. All other bovine animals can be slaughtered on 'fit for slaughter' certificate. Possession of beef allowed.	AIADMK
Odisha	1	Slaughter of cows (heifer and calf) prohibited. Slaughter of bulls and bullocks permitted against 'fit-for-slaughter' certificate. Possession of beef allowed.	Biju Janta Dal
Andhra Pradesh	1	Slaughter of cows (including heifer and calf) prohibited. Imprisonment of six months with fine of 1000/-. Slaughter of bulls and bullocks allowed on 'fit-for-slaughter' certificate.	TDP
Uttarakhand	3	Slaughter of cows, calves, bulls, bullocks prohibited. Possession, sale, transport of beef banned.	BJP since Feb. 2017.
Himachal Pradesh	1	Sections same as that in Punjab	Congress till December 2017; BJP CM sworn in on 27 December 2017.
Kerala	1	Slaughter of all cattle permitted. Panchayat laws provide for prohibition of slaughter of useful animals in Panchayat (non-municipal) areas in the state.	Congress till 20 May 2016; CPI (M) since May 2016.
Telangana	1	Sections same as that in Andhra Pradesh.	TRS
Goa	1	Slaughter of cow (includes cow, heifer or calf) prohibited except when cow suffering from pain or contagious disease or for medical research. Sale of beef imported from other states is legal if not in contravention with the cattle preservation legislation.	BJP
	Total: 137		

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## II. Striking Terror: Vigilante Acts

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On March 5, 2016 Mustain, a farmer, set out from his village Nai Majra in Saharanpur, UP, for Shahbad in Kurukshetra district, Haryana to buy a buffalo. At Shahbad he bought a bull instead as his family used them for their carts. The following day, four other villagers, who too had gone to Shahbad, returned but not Mustain. The villagers reported that on their way back, they saw about eight to ten gaurakshaks in a police vehicle blocking the road. Fearing extortion, they tried to turn back. The gaurakshaks shot at them and the villagers fled leaving behind a pick-up vehicle and five bulls they had purchased. Injured in the shooting, Mustain fell into the hands of the gaurakshaks. Mustain's family members went to PS Peepli, PS Gangoh and PS Shahbad to register an FIR. The police not only didn't pay attention to the family's complaint but threatened them. On March 16, Mustain's father filed a *habeas corpus* petition at the High Court. The gaurakshaks claimed they had handed Mustain over to the Shahbad police. The Shahbad police had filed an initial FIR against "smugglers" for both smuggling and for firing at gaurakshaks and the police and from whose abandoned vehicle five bulls were recovered. The police denied all knowledge about Mustain when the court appointed warrant officer visited Shahbad PS. On April 2, the Shahbad police found Mustain's body in a drain. He had several stab wounds and his bones were broken and face was mutilated. The clothes on Mustain's body were not his. In May, the High Court ordered a CBI inquiry and transfer of the District Magistrate and three police officials. The Supreme Court allowed the CBI investigation but stayed the

transfers. No arrests had taken place three months into the incident. The CBI in December 2016 exhumed Mustain's body and ordered a post mortem to ascertain bullet injuries. Mustain's family believes that he was abducted and tortured to death by the gaurakshaks in collusion with the police.

Mustain's killing is one of the most significant incidents that we have documented—significant not just because of its brutality and the police's complicity, but because his murder was the cumulative outcome of acts like blocking a road, interception, illegal detention, seizure of the abandoned truck and bulls, filing false allegations and FIRs. Combined with firing and torture, these resulted in death. In other incidents where the vigilantes have used one or two of these measures such as blockade or giving chase, or seizure of cattle, the consequences have not always been fatal. However, the end result is the same – striking terror among Muslims and hampering routine occupational activities through physical violence, intimidation, false criminalisation. Each of these is a violation of fundamental freedoms of citizens, by other civilians who have arrogated to themselves the authority to 'punish'.

Many of these vigilante acts, despite their criminality, go unreported or are reported generically indicating a normalisation of cow vigilantism. In 2017 we came across several references to forced stoppage of vehicles transporting cattle and beef and of extortion where number of incidents was not specified. The forms and figures of several vigilante acts



drawn from our documentation are given below. Some of these incidents include more than one form of attack, such as illegal detention and assault, harassment and seizure of animals, interception and stripping.

**Killing:** In the 20 incidents of killings documented, 10 occurred in 2016, 9 in 2017 and 1 in 2018. Arguably the degree of criminality has escalated over the two years as the number of people killed has gone up from 12 in 2016 to 16 in 2017. Altogether 29 people have been killed in the 20 incidents, of whom nearly 90% are Muslims. Allegations of theft, illegal transportation or ‘smuggling’, rumours of cow slaughter are some of the reasons used to legitimise the killings. There are certain non-representative cases, such as that of Praveen Poojaray in September 2016 as he was a BJP worker or that of Har Singh Lodhi who died after being forced to stand on one foot for three hours by way of atonement in December 2016. However, all cases show extreme cruelty towards the victims. Encounter deaths arising out of exchange in fire are part and parcel of vigilante justice which go unaccounted.

**Assault, Arson and Vandalism:** Outside of deaths, there are, at least 55 incidents of assault and instances of bodily harm not resulting in death. The reasons for the assault include accidental deaths of cattle and cruelty towards cows. A mentally ill man, students in hostels and a teen-age girl are among those targeted. The fact that the police have not taken action in many of these cases indicates the normalisation of assault. Vigilantes routinely vandalize and torch vehicles and homes of victims in a bid to destroy their livelihoods. In February 2016, vigilantes torched a vehicle carrying 11 cows that had been seized by the police. Four injured cows were sent to a gaushala and the other 7 were

reportedly released in the jungle. The result was that the victims lost their vehicle and cattle and were also saddled with a police case.

**Sexual Violence:** We came across three incidents of sexual violence. As in other situations of communal violence, sexual violence against Muslim women has emerged as one of the forms of cow vigilantism aimed at teaching the community a lesson. A twenty-year old woman and a teenage girl were raped in Mewat in Haryana in August 2016 as punishment for eating beef. Women of Gujjar Muslim communities in UP and Jammu were sexually harassed as part of the general assault on their group while herding cattle.

**Stripping:** In four incidents, Muslims and Dalits were stripped and paraded naked, besides being brutally assaulted on charges of theft and slaughter. In June 2017 in Etah, Uttar Pradesh, two Muslim men—Asif and Rehan—were assaulted and paraded naked on the street on the charge of cow theft. In Amalapuram, Andhra Pradesh, in August 2016, two Dalits were stripped, tied to a tree and thrashed while skinning a cow that had been electrocuted. The owner had asked them to skin the carcass.

**Humiliation and Coercion:** In January 2018, two Dalit men were tonsured and paraded in Rasra PS in Ballia district, UP, by members of the Hindu Yuva Vahini on allegation of theft of cow. They were made to wear tyres around their necks with placards saying “hum chor hai”. This extreme act of hatred confirms the entrenched upper caste character of vigilantism. There are also other acts of coercion such as being forced to eat cow dung and drink urine. In October 2016, in Gujarat, dandiya dance participants were ‘purified’ with cow urine in order to prevent Muslims from participating in the festivities. In

October 2017, five Muslim meat traders were assaulted by gaurakshaks in Faridabad and forced to say Jai Sri Ram and Jai Hanuman. In several incidents, videos were recorded and circulated on social media and which publicized the humiliation meted out to victims.

**Caste-Panchayat Punishments:** We came across two incidents where members of OBC communities were handed out punishments for being responsible for the accidental deaths of their calves. The case of Har Singh Lodhi, the 70-year-old farmer who died in December 2016 in Madhya Pradesh, is strikingly cruel as he was ordered to perform multiple acts of 'atonement', simply because his calf was found dead with an empty bottle of rat poison nearby. He was then made to stand on one leg in the sun for three hours which resulted in his death. Similarly, in September 2017, Kamlesh a 50-year-old woman from the Nai community was ordered by the Rashtra Nai Mahasabh to leave the village and beg and bathe in the Ganga by way of atonement. Like in Lodhi's case, her calf died accidentally. The imposition of such punishments imposed by local non-constitutional caste panchayats show how local elites maintain and enhance their authority via cow vigilantism.

**Forced Closure of Shops and Eateries:** Canteens, restaurants, and shops selling 'beef', including those selling chicken, mutton and fish, have been forced to close through threats, large demonstrations, stone-pelting in six incidents. In February 2016 in Aligarh, messages were circulated over Whats App about beef biryani being served in the canteen of the Medical College in Aligarh Muslim University. The canteen was forced to shut down and a complaint registered against the contractor. In March 2017 in Jaipur, Hotel Hayat Rabbani was attacked by a mob on rumours of beef being

cooked. The owner fled fearing for his life and the hotel was sealed. Later, the meat was found to be chicken.

**Extortion:** 'hafta' or extortion is a usual vigilante practice within the cattle and meat transport route between states and highways are particularly favoured by gaurakshaks. In April 2016 in Amritsar, Punjab, Rajiv Arora of BP Oil Traders alleged harassment and "impounding" of his tanker containing tallow oil by a Gau Raksha Dal. He alleged that the Dal members had demanded hafta (extortion money).

**Collusive Police Actions:** Protests by gaurakshaks, both violent and non-violent, are part of cow-vigilantism. Typically, the police ignores the rioting committed by the vigilantes and actively takes action against the victims. Such collusive police action sharply differs from the refusal or denial of democratic protests by Muslim butchers and meat traders' associations against beef-bans.

The shared patterns emerging from these incidents suggest that these cases are far from being spontaneous acts of protests. Cow carcasses have been regularly used to start protests and ratchet up communal sentiments. Protests where mobs have been allowed to block roads for hours and create mayhem, with no action taken against them suggest that such mobilizations are allowed to take place. The police's response in these incidents has often been to register FIRs against "unknown persons" to pacify the crowds. However, it needs to be remembered that such open FIRs have often been activated for targeting and victimisation in communal situations. Whatever be the reason, the police's actions constitute an abdication of responsibility which effectively leave Muslims and Dalits without any legal protection. A case in point is the June 2016

incident in Amrauli where the presence of Bajrang Dal, VHP etc ensured that cases were filed against eight Muslim villagers. Rumours by Hindutva groups are always taken seriously and often form the basis for raids and attacks.

**Empowering Gaurakshaks:** Vigilante groups, predominantly upper-caste Hindus, have assumed policing powers and arbitrary authority over other civilians. The Haryana and Maharashtra laws allow the police to enlist civilians and invest them with policing powers. For instance, the Haryana Act in Section 16 and 17, provides not just the police but “*any person authorized by the police*” to enter, stop and search any vehicle used or intended to be used for the export of cows and also seize the vehicle and cows. The Maharashtra Act contains the same provision in Section 7. These provisions characteristically become avenues for targeting Muslims and Dalits engaged in cattle related occupations.

Such arrogation of policing powers is characteristic of cow vigilantism across the board, irrespective of whether a particular state law provides for it or not. A large number of such interceptions, such stopping, intimidation, questioning etc, have occurred in UP where there is no such provision. The general license to stop, search etc has often resulted in burning of vehicles, beating up of drivers before the ‘accused’ were handed over to the police. In April 2016 Hindu outfits in Saharanpur, UP seized a vehicle carrying seven cows from Punjab, and attempted to set it on fire before informing the police, who then arrested the driver.

Another variation of close co-ordination between vigilantes and police are what media reports describe as “tip-offs” where vigilantes have provided information on which the police

has acted against the alleged “criminals” who include farmers, skimmers, drivers of trucks, beef-sellers. The number of these instances is very large. In several of these the police have handed over the animals seized from Muslims to the gaurakshaks and informants. In April 2016 in Gopalganj in Bihar, the police intercepted a pick-up carrying ten cows and arrested the driver after receiving a “tip-off”. The cows were handed over to the villagers. For the victims it matters little whether the police acts on the basis of such “tip-offs”, or whether the vigilantes act independently. The end result is the same: criminal cases are summarily lodged against the victims and they suffer economic losses through such seizures of cattle and vehicles.

**Repercussions:** Gauraksha Dals who are armed, patrol highways, have an organised network with personnel stationed at key points, and engage in criminal acts are nothing but criminal gangs. These gangs range from organised groups and mobs to a few local residents who, enjoy complete impunity and protection from the police. In March 2016, in Ludhiana, the police immediately arrested a Muslim driver and cleaner at the behest of a few local people who decided that the cattle vehicle was necessarily a smuggled one. The vigilantes forcibly stopped the vehicle and then handed the matter to the police. The organisations whose names have been specifically reported include the BJP, Vishwa Hindu Parishad (VHP), Bajrang Dal (UP, Bihar), Shiv-Sena (UP, Maharashtra), Hindu Yuva Vahini (UP), Gau Raksha Hindu Dal (UP), Yuva Sena (Odisha), Hindu Yuba Chhattra Vahini- Dimoria Unit (Assam), Gauraksha Samiti and Gau Sanvardhana Samiti (Maharashtra), Rashtriya Gauraksha Dal (Haryana), Gurgaon Gauraksha Dal (Haryana), Hindu Jagran Vedehike (Karnataka) among others.

### Illustrative examples of vigilante protests

- **February 3, 2016, Sans, Bhatinda, Punjab:** A cow was found dead in the same place where three cows were found dead earlier. Hindu organizations protested. A case was registered against unknown persons to pacify Hindu groups' anger.
- **March 19, 2016, Agra, Uttar Pradesh:** Photos of a “beef party” showing foreign students from largely Islamic countries like Turkey, Afghanistan, Kazakhstan and Bulgaria chopping meat in their hostel room, at the Kendriya Hindi Sansthan (KHS) surfaced on the social media. Due to protests from workers of Vishwa Hindu Parishad (VHP) the authorities launched an inquiry into the matter. A police team searched the hostel rooms and assured protesters that an inquiry will be conducted. An eight-member high-level committee was formed. PAC was deployed outside the institute. No evidence related to the chopping of meat was found.
- **June 8, 2016, Amrauli village, Aligarh, Uttar Pradesh:** Groups found remains of a dead cow near a Masjid. VHP, Bajrang Dal Akhil Bhartiya Hindu Mahasabha, local people gathered in large numbers, police was called in. Mob protested and pressurized police to file FIR against 8 Muslim residents of same village. FIR against eight Muslim villagers.

Cow vigilantism promotes active fear and insecurity among those targeted. The terror and its consequences were brought home in an incident in Madhya Pradesh in August 2016 when vigilantes thrashed a trucker and his helper as their wheat laden truck accidentally ran over three cows. The two jumped into the river to escape, but the driver drowned in the process.

Cow-vigilantism's potential to destroy the way of life of an entire community is starkly evident in incidents like the one in Arauli Village in Bulandshahar District (UP), where the Hindu

Yuva Vahini attacked the village after a cow carcass was found floating in a pond, in August 2016. The Muslim villagers were beaten, their houses vandalised and their possessions stolen. Two mosques were ransacked and goods, carts etc eg of local vegetable sellers were destroyed. The Muslim residents fled the village. The physical attacks are justified and supplemented through cow protection legislations which criminalise livelihoods and in so doing make the vigilantism an economic assault as we will illustrate in the following chapters.

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### III. Authorising Crimes: Criminalising Livelihoods

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Cow vigilantism targets both lives and livelihoods of Muslims and Dalits. The criminalising of slaughter and transport of cow and its progeny, and possession, consumption and sale of beef through anti-slaughter and anti-cruelty state laws render all

those engaged in the cattle economy such as butchers, skinners etc, vulnerable. Read and implemented arbitrarily, such criminalisation of routine occupational activities provides legal sanction to cow vigilantism, as the victims are turned into the accused.

**Punishing Cattle Slaughter:** Victims of assault, in the context of cattle slaughter, are overwhelming Muslims followed by Dalits and OBCs. In over 21 incidents, 70% cases were registered against Muslims. Vigilantes particularly attack road accidents involving cattle transport. In June 2016, a driver was assaulted when his truck carrying twenty-three cows met with an accident on the Firozabad Highway in which eleven cows died. Vigilantes attempted to set fire to the truck. The driver was arrested on charges of slaughter, but no action was taken against the vigilantes.

Cow-slaughter is banned in all except eight states in India. These are Kerala, Bengal, Sikkim, Nagaland, Arunachal Pradesh, Mizoram, Meghalaya, Tripura. Assam allows slaughter of all cattle, including cows, under fit for slaughter certificates. States such as Odisha, Tamil Nadu and Karnataka allow slaughter of all 'bovines' except cows under fit for slaughter certificates. 'Cow' under most legislations include cows, calves, bulls, bullocks with some exceptions. Except for Jammu and Kashmir, Himachal Pradesh and Chhattisgarh buffalo slaughter is permitted in all other states.

However, we found that a number of incidents where slaughter was the given reason for vigilantism and subsequent police action, concerned animals whose slaughter is not prohibited under the relevant state laws. In August 2017, six Rohingya Muslims were beaten up in Mujedi village in Ballabgarh in Haryana when they brought two buffaloes to slaughter on Eid. Buffalo slaughter is not prohibited in Haryana. In Chikkamagaluru

district, Karnataka, in July 2016, a Dalit family was attacked in their house by members of Bajrang Dal for slaughtering an ox which they had purchased. The police registered a case not just against the vigilantes but also against three of the Dalits for slaughter. Ox slaughter is legal in Karnataka. Clearly, it is not the law but the identities of the accused that decide both vigilante and administrative actions.

'Recovery' of skeletons, cattle remains and carcasses, all of which are by-products of the occupation/business of slaughter, have been frequently used by vigilantes to manufacture a crime and generate frenzy, and ensure legal action against the supposed 'criminals'. In January 2016, about 100 carcasses were 'discovered' in fields near Alipur Khadura village on the Hapur Highway in UP. This was but to be expected as the area has several slaughter houses. The BJP and Bajrang Dal used the 'recovery' to mobilise a large mob protest which culminated in the police registering a case against "unknown persons".

Several incidents of vigilantism concerning slaughter have taken place on or around Eid. These indicate a communal culture where differences in eating habits and religious observances are mobilised to attack Muslims. The attacks around Eid have often been based on rumours of cow slaughter. In September 2016, a Muslim family was attacked in Bengaluru, Karnataka in their farmhouse, on accusations of having slaughtered a cow during Eid celebrations. They managed to flee and seek shelter in a police station. The family informed the police that the animals were bulls, whose slaughter is permitted in Karnataka and they slaughtered two animals

every year. Police registered an FIR against the vigilantes, but also filed an FIR against the victims for cow slaughter. That the slaughter of the animal concerned is not prohibited under the state law is but a matter of detail for the vigilantes - the intent being to suppress religious freedoms and punish cultural difference. Nor is such vigilantism a matter of cultural difference alone as it effects poor Muslims who gain employment from ancillary processes of the practice of slaughtering cattle on Eid; e.g. two Muslim animal skinners Hafiz Abdul Khalid and Ali Hassan were assaulted outside a madrasa in Delhi in September 2016 when they were clearing remains of buffaloes slaughtered on Eid the previous day.

Dalits too are vulnerable to allegations of cow-slaughter as their traditional caste-imposed professions of skinning and clearing carcasses require handling of dead cows. In at least four incidents Dalits skinning cows were assaulted on allegations of having killed the cows, such as in July 2016, when four Dalits who were skinning a cow were stripped half-naked and brutally assaulted in Una in Gir Somnath District of Gujarat on allegations of theft and slaughter. In a lesser known incident of May 2016, seven Dalit men were rounded up by about thirty members of the Gau Raksha Samiti of Amreli from Rajula town, Gujarat, allegedly for stealing the cows they skinned. Their hands and legs were tied and they were brutally thrashed for two and a half hours with bats and iron rods. Una replicated this.

The prohibition on cow-slaughter provides the fulcrum for targeting Muslims and Dalits as other activities such as sale of beef, transport of animals, skinning can all be

criminalised through allegations of cow slaughter. Whether the cow- slaughter was alleged or real, what were the animals being slaughtered, whether their slaughter is banned or not make little difference as the end result is the same.

**Criminalising Trade and Movement of Cattle:** The largest number of incidents of vigilantism, at least 53, were in cases of transport or movement of cattle as part of the trade. Overwhelmingly, Muslims were victims. Out of 20 incidents of killings, fifteen were in cases related to movement of cattle, in which 21 people were killed on allegations of “smuggling”. In these cases it is alleged that the cattle was being transported/moved for slaughter. A large number of such incidents have occurred on highways or on state borders; e.g. the incidents distributed across Western UP which borders Haryana, Rajasthan and Madhya Pradesh, in districts such as Saharanpur, Muzzafarnagar, Aligarh, Agra, Mathura, Gautambuddha Nagar/Noida, which allows for recasting such transport as “smuggling” and legitimising vigilante attacks. The indiscriminate use of the term “smuggling” in reportage of incidents echoes the vigilantes in suggesting that the movement of cattle is clandestine and illegal. The allegation of “smuggling” gains currency from cow legislations which ban transport for slaughter.

The fact that officials of the Tamil Nadu Animal Husbandry Department travelling in a five-truck convoy were attacked by vigilantes on NH 15 in Barmer district in June 2017 when transporting cows and calves purchased in Jaisalmer, underlines the vulnerability of those transporting cattle as well as the

vigilantes' sense of impunity. Charges of 'smuggling' have often resulted in assaults and killings such as in September 2016, in Ahmadabad, Gujarat when Mohammad Ayyub and Sameer Sheikh were brutally thrashed resulting in Ayyub's death, when travelling in a car with two calves. Four men were arrested for attempt to murder, but an FIR was also registered against Sheikh under the Cow Protection Act.

The victims include poor villagers who earn a living through selling one or two animals. Four Muslim cattle traders were lynched in May 2017 in Jharkhand while on their way to buy cattle from Rajnagar to be sold later at a cattle-market in Haldipokhar. They were suspected of supplying cattle to beef traders. Often calves are bought together with cows, reared and once they are older sold at a profit. In an incident in January 2016 where one cow and calf were being taken to a cattle market in Birbhum, Bengal, the transporters were attacked. It may be recalled that Pehlu Khan, a dairy farmer, who ran a dairy was returning from a cattle-market having purchased cows and calves for his dairy when he was killed, and five others beaten up. These attacks have occurred when victims were returning from or heading to cattle markets, especially between UP, Rajasthan and Haryana. Sale of cattle in cattle-markets is a routine activity and an integral part of the agrarian economy. However, these aspects of purchase and sale get overwhelmed by the bogey of sale for slaughter. Herders moving cattle for grazing, or as part of migrations etc too have been attacked on allegations of intent to slaughter- in Rajasthan, UP, and two incidents in Jammu and Kashmir against Muslim Gujjars. The herders – rural, poor, itinerant communities

without clear domicile- are some of the most vulnerable sections and its no surprise that in these cases the violence has also taken the form of sexual harassment and violence against women and children, as well as theft. The attacks in Kashmir indicate the spread of the ideology of cow protection and its effectiveness in sharpening the polarisation between Jammu and the Valley, a sign of the BJP's growing influence in the region.

Some media reports mention that the cattle seized by the police on allegations of "smuggling" have been given to the vigilantes. E.g. in March 2016 in Ram Nagla village in Hathras in UP three Banjara (religious identity not specified) men from Rajasthan were arrested and their cattle handed to the village sarpanch. As most reports do not report the fate of the cattle that is seized, it is likely that this is but the tip of the iceberg. There have also been several instances of cows being seized on the basis of "tip-offs" and sent to gaushalas. In May 2016 the police received a "tip-off" in Saharanpur UP that a truck with 11 cows would be passing through the area. The police arrested the driver Bilal, seized the truck and sent the cattle to a gaushala. Such seizures have primarily been from Muslims. Whether the cattle is sent to gaushalas or given directly to Hindu villagers is immaterial, as the animals pass from hands of Muslim and vulnerable communities like herders, again hitting at their livelihoods.

The number of cattle being transported has often been quite small suggesting that the cattle had been bought for milk. In August 2016, in Aligarh in UP, when four Muslim men carrying one buffalo in a van were thrashed and then arrested for theft. Incidents

where cattle was being transported or moved in very large numbers are fewer. However, these distinctions are finally immaterial as those attacked, predominantly Muslims, are indiscriminately ‘punished’ by the vigilantes and the police.

The charge of smuggling normalises vigilantes doling out punishments in extreme acts of cruelty. In August 2016 a Muslim man was shot dead by police after receiving a “tip-off” in Haryana and three others arrested on charges of theft and smuggling. The cow and bull they were transporting was sent to a gaushala. In March 2017, in Amroha in UP, a man was beaten to death when allegedly caught stealing cattle while three others escaped after reportedly firing at the villagers. In June 2017, in North Dinajpur in Bengal, three Muslim men were beaten to death on allegations of theft. In August 2017, two men were lynched to death on charges of theft and smuggling in Jalpaiguri, Bengal. The vigilantism against cattle thieves and smugglers in Bengal makes the spread of cow vigilantism that much more pronounced as these have occurred despite cow-slaughter being permitted in the state and it is one of the few states with a non-BJP government.

A frequent explanation for the violence is cross-border smuggling as both North Dinajpur and Jalpaiguri incidents have occurred in districts which border Bangladesh. Irrespective of the reason, the Jalpaiguri incident echoes the pattern of anti-Muslim cow vigilantism of forming vigilante groups and meting out extreme punishments, to be found in the hotbeds of cow vigilantism such as UP and Haryana. In Jalpaiguri, villagers formed a gauraksha samiti to check cow theft

and smuggling. They blocked the road and forcibly stopped three men who were transporting seven cows. Two of them were lynched to death and one seriously injured, who was later arrested. As per initial reportage, the police was investigating whether those killed were smugglers or traders. Vigilante action by non-state actors has thus been normalised by the sanction given to gauraksha samitis. The message that has gone out is that gauraksha groups or village defence groups can undertake vigilantism, which the state will legitimise by criminalising the victim while protecting the criminals. The lynching to death of two Muslims in Assam in April 2017, too occurred in a regional context of cross-border smuggling which is a lucrative trade in the region. In Assam where the Hindutva agenda is increasingly visible eg in anti-Muslim citizenship policies, the issue of cow-protection provides an effective instrument to further target Muslims who are hated as refugees and outsiders.

The bogey of “smuggling” could not be better underlined than by an incident of September 2017, where a truck carrying donkeys was forcibly stopped by Gau Rakshaks in Rajasthan who beat the driver for allegedly ‘smuggling’ ‘cows’ and required police verification that they were indeed donkeys.

**Banning Beef: Transport, Trade, Possession:** A large number of incidents of vigilantism deal with transport, sale and possession of beef or meat alleged to be beef, with one of these, of beef trader Alimuddin or Asgar Ansari proving fatal. Commercial transportation of beef, small and medium scale trade in beef and sale of



'beef' dishes in shops, canteens and eateries have been targeted using the ban on beef. The prohibition on possession and sale of beef tacitly makes eating beef an offence and those doing so criminals. Possession of small quantities of beef or meat alleged to be beef, often for personal consumption, has been used to attack Muslims and Dalits. In January 2016 when a Muslim couple was attacked by vigilantes in a railway station in Harda district in Madhya Pradesh as they were carrying a packet of meat which was alleged to be beef.

'Beef' in general usage in India is a rather broad term which includes not just cow flesh, but also buffalo (also known as buff or carabeef) and ox meat. Sale of buffalo meat, is permissible in states which otherwise ban cow-slaughter and sale of beef, such as UP and Rajasthan. The term beef eg in 'beef biryani' in most cases refers to buffalo meat. Certain states like Goa, Karnataka, Tamil Nadu, Manipur ban cow-slaughter but allow possession, sale and consumption of beef.

The difference in laws, some of which allow possession with certain qualifications has not deterred cow vigilantism around beef. A Maharashtra High Court judgement of May 2016 allowed possession of beef imported from states which permit cow-slaughter. However, in May 2017, three Muslim meat traders were thrashed by vigilantes in Malegaon, Maharashtra and then arrested by police for possession when meat was found in their godowns, without ascertaining the provenance of the 'beef' i.e. whether it was beef or carabeef / buffalo flesh and where it had been sourced from. Tellingly, the Maharashtra government has appealed against

the High Court judgement, making the communal intent quite clear. The amendment introduced by the state government to include bulls and bullocks in the list of prohibited animals has hit Muslims butchers and traders hard as the demand for carabeef / buffalo meat is far lower.

Cow vigilantism regarding beef, and its aftermath in terms of police harassment extends to those who are on the absolute margins of the trade. A seventeen-year-old boy (identity not mentioned) who worked for a caterer was thrashed with belts besides being kicked and boxed as he was found carrying a cow tail in Ujjain, MP in June 2017. He was arrested for cow slaughter, though let off later. In July 2016 Sosa, a Dalit, was assaulted as he was carrying a packet of beef in Navsari in Gujarat. He clarified that he had been asked by a Hindu vegetable seller, Kishore Morey, to deliver the packet and was unaware of the contents. Sosa was arrested for selling beef and later released on bail.

With the laws varying as widely as they do from state to state, its routine that animals from states which ban cow and cattle slaughter are taken to those which do not, and similarly beef is brought to states banning cow-slaughter but not sale and consumption of beef, such as Goa. But beef traders, drivers and cleaners are now unwilling to transport cattle and beef between Karnataka and Goa for fear of vigilante attacks. There were reports of gaurakshaks waylaying trucks carrying beef into Goa and destroying the meat in November—December 2017. Possession and sale of beef is not banned in Goa. The short-fall pushed up the prices of beef which is eaten by minority communities

and the poor. The effect was also felt further up the food trade chain as the shortfall of beef affected eateries in Goa, especially around Christmas, with smaller shacks shutting down or just about surviving.

In incidents of transport of beef and cattle, some of the most frequently victimised are drivers and cleaners of the vehicles, generically referred to as “transporters”. The focus on the activity ie transport blurs questions of law as also differences between traders in cattle or meat, drivers, cattle owners and farmers accompanying or transporting cattle. In cases where cattle is transported in larger numbers, its likely that the drivers are not the owners of the cattle, but are assaulted and arrested nonetheless. Incidents where Sikh and Hindu drivers and cleaners were assaulted and handed over to the police, indicate that the repercussions of anti-Muslim cow vigilantism also effect those in subordinate jobs in the cattle and beef trade, irrespective of their religious identity.

The prohibition on possession of beef has been extended by vigilantes to incorporate other cattle-related products such as tallow, oil, bones, hides as indicated by several such incidents, which only extends the scope of vigilante activity and those it effects. In August 2016 in Surat in Gujarat, Ilyas Sheikh was assaulted while transporting hides and bones of dead cattle despite having a license from Surat Municipal Corporation for transporting animal remains. In Mandasaur Madhya Pradesh, in July 2016, two Muslim women were beaten and arrested for possessing beef. They were released when the beef turned out to be buffalo meat which is not prohibited and were released on bail. The fine legal distinctions between what is

prohibited and what is not, whether the legal requirements have been met, offer no protection either against the vigilantes or the police.

The ban on beef has been used by vigilantes to target sale of all non-vegetarian food, with butcher shops including those selling chicken, fish and mutton which are largely owned by Muslims. In March 2017 in Hathras, Uttar Pradesh, three fish and meat shops were set on fire at night by vigilantes after the UP Chief Minister ordered the closing down of unregistered slaughter houses in the state. No case was registered against the assailants, another example of the political patronage enjoyed by the vigilantes and the anti-Muslim character of the BJP government.

Laws which criminalise consuming, possessing and selling beef are underpinned by a Hindu right-wing politics. These laws are part of denying freedom over what one eats and complement the vigilantes’ imposing food taboos and punishing those who don’t observe these. One strategy whereby beef vigilantism is legitimised is through the construction of a monolithic Hinduism with vegetarianism as a central tenet. In September 2017, the Gau Raksha Hindu Dal demanded closure of meat shops and forcibly removed non-vegetarian food from dhabas (largely run by Muslims) in Greater Noida, Gaur City and neighbouring urban areas in UP alleging that it was Durga Puja and consuming non-vegetarian food on religious festivals supposedly violates ‘Hindu’ beliefs and sentiments. It may be remembered that non-vegetarian food is very much a part of Durga Puja festivities.

The criminalisation of consumption and possession of beef by the state and the frenzy

generated around it via right wing Hindu nationalism allows for recasting those who eat beef, especially Muslims, as culturally different and therefore deserving punishment. The horrifying consequences of the frenzy generated around the consumption of beef and the license it grants to target Muslims were brought home when 17-year-old Junaid was killed on a train in Ballabgarh and his companions beaten and stabbed for being “beef-eaters” in June 2017 just before Eid. It may be recalled that two young girls were raped, two of their family members killed and another two seriously injured in order to teach them a lesson for eating beef. Muslim men and women have become the victims of grievous crimes with the sectarian prohibitions on beef being abetted through cow- laws.

**Anything and Everything:** Muslims and Dalits have been arbitrarily attacked for the most mundane occurrences. May 2016 saw

Deen Mohammad, a fruit-vendor in Jaipur, who was trying to keep a cow from eating fruit off his cart being accused of having “stabbed” the cow. He was beaten up by the Hindu owner of the cow and others. Several carts were damaged, and communal tensions arose. The police arrested two people on the basis of an FIR by the cow’s owner. In July 2017, Vishal Arsodia, a 22-year old-Dalit, was stabbed in Ahmadabad when he kicked a cow while trying to move a herd that was blocking his scooter’s path. Some results of the license enjoyed by gaurakshaks can be estimated from stray incidents which find scant mention, such as the harassment of a media professional for carrying a leather bag in Mumbai in August 2016. The gaurakshaks let the man off on learning that he was a Hindu Brahmin, underlining that such lumpenism too rests on the religion of the victim.

**Table: Licence to Kill**

<b>Date &amp; Place of Incident</b>	<b>Who were the victim/s?</b>	<b>Circumstances of Interception</b>	<b>Alleged Offence</b>	<b>Comments</b>
March 5, 2016 Shahbad, Haryana	Mustain Abbas (27 yrs) poor farmer of Saharanpur	Returning from cattle fair after purchase of bull. Body found in a drain.	Allegation of smuggling and firing at gaurakshaks and police	CBI inquiry by High Court in May 2016. Body exhumed by CBI in December 2016 for bullet injuries.
March 18, 2016 Jhabbar, Latehar Jharkhand	Imtiaz Khan (12 yrs); Mazloom Ansari (32), poor cattle owner, Latehar	On their way to cattle market with oxen. Attacked, lynched and hanged.	Allegation of smuggling	8, belonging to Gau Raksha Kranti Manch, arrested and granted bail. Family of deceased refused compensation and demanded action by CM.
June 2, 2016 Taraori-Ganger Karnal, Haryana	Irfan (25) Transporter from Saharanpur	Transporting cattle and attacked by Gau Raksha Dal. Found dead in nearby field.	Allegation of smuggling	Exchange of fire between deceased, accomplices and vigilante group. Arrests of accomplices under IPC sections, Arms Act and Cow Protection Act and detention of 3 Dal members.

<b>Date &amp; Place of Incident</b>	<b>Who were the victim/s?</b>	<b>Circumstances of Interception</b>	<b>Alleged Offence</b>	<b>Comments</b>
July 2016 Golaghat district, Assam	Jonti Ali	Attacked by mob in a tea estate.	Allegation of smuggling	Deceased and another were accused of stealing stray cattle into waiting truck. No updates available.
August 4, 2016 Sultanpur-Raisen MP	Manu Lal Parmar (45). Dalit driver from Gujarat residing in MP	Driving wheat laden truck to Surat. Attacked by Bajrang Dal. Death by drowning.	Accidentally drove truck into three cows and killed them.	Thrashed by mob. Jumped into Barna river to escape mob fury. Helper survived and surrendered. Case also lodged against unknown.
August 9, 2016 Mahendergarh, Haryana	Wasim Resident of Mewat (Haryana)	Transporting cattle. Vehicle lost control in police chase. Deceased found dead in truck.	Allegation of smuggling	Deceased allegedly fired and injured police patrol. Three accomplices arrested and booked under Haryana Act. Hunt for missing suspects.
August 17, 2016 Kadike, Udipi, Karnataka	Praveen Poojary (28) Tempo driver and BJP worker	Transporting three calves. Attacked fatally by Hindu Jagarana Vedike.	Allegation of smuggling	Deceased's companion was injured and hospitalized. 15 accused were granted bail by end 2016.
August 24, 2016 Mewat, Haryana	Ibrahim and Rasheeda. Landless farming family	Fatally attacked in their house by gang of gaurakshaks. 2 others injured and 2 women gangraped.	Consumption of beef. Forced intake of urine as stated by gangrape survivor	CBI inquiry instituted in November 2016 has rejected gangrape survivor's testimony on claims of DNA findings. Instead, case is one of criminal gang and theft.
September 13, 2016 Ahmedabad, Gujarat	Mohammad Ayyub Mev (29)	Thrashed by gaurakshaks who chased vehicle carrying two calves. Companion also attacked and injured.	Allegation of smuggling	Witness in car stated brutality of attack on Ayyub when he tried to flee. Police files two FIRs: against Ayyub and Sameer Sheikh and also against 8 gaurakshaks, who have since got bail (April 2017).
December 24, 2016 Bara Malhera, Chhatarpur, MP	Har Singh Lodhi (70) Farmer	Following death of calf, caste panchayat forced him to stand on one leg for 3 hours and other penalties.	Murder of calf on Dec 8 when bottle of rat poison found near dead calf	Case against 'unknown' persons under 174, CrPC. No updates available.
March 20, 2017 Amroha, UP	Nasir of Rampur district	Villagers lynched deceased in Kalka Wali Dagrauli village.	Attempted smuggling of cow from house	Deceased and 3 accomplices opened fire and injured 6 villagers. Police registered case in connection.

<b>Date &amp; Place of Incident</b>	<b>Who were the victim/s?</b>	<b>Circumstances of Interception</b>	<b>Alleged Offence</b>	<b>Comments</b>
April 1, 2017 Alwar, Rajasthan	Pehlu Khan (55) Dairy farmer	Attacked by mob while returning from cattle market in Rohtak.	Allegation of smuggling and cruelty to animals	In September 2017, the six accused in Pehlu Khan's dying declaration were exonerated by local court. In January 2018, a fresh chargesheet against Khan's two companions, the driver of the vehicle and his father filed under Rajasthan Act.
April 30, 2017 Nagaon district, Assam	Riazuddin Ali (24) driver and Abu Hanifa (23), vegetable vendor—residents of Naramari	Lynched in neighbouring Hindu village, Kasamari, by mob of 300 to 500 persons which gouged out their eyes	Allegation of smuggling	Six persons arrested. Home to the RSS, Nagaon has seen sporadic communal incidents in the past. However, the local police have denied any communal angles to the lynching and insisted it to be a case of simple theft.
May 18, 2017 Seraikela Kharaswan, Jamshedpur, Jharkhand	Naim Sheikh Sajju Sheikh Siraj Sheikh Halim Cattle traders	Beaten to death by mob when on their way to cattle market. The vehicle of the deceased was set on fire.	Allegation of smuggling and sale of beef	While Naim was caught and beaten, the crowd hunted the other three who tried to escape. Currently, 19 accused are in judicial custody. NHRC sent notices to the police.
June 22, 2017 North Dinajpur, Bengal	Nasirul Haq (30) Md. Sameeruddin (32) Md. Nasir (33)	Beaten to death by mob of nearly 1000 odd. However, seven others fled the place.	Allegation of smuggling	Residents of Durgapur village claim long history of smuggling and have formed village squads. Three persons arrested have been released on bail (January 2018)
June 22, 2017 Ballabgarh, Haryana	Hafiz Junaid (17). Student	Beaten and fatally stabbed in moving train. Brother and two cousins were also attacked.	Allegation of beef consumption	Of six accused are facing trial, four granted bail. In March 2018, Supreme Court agreed to re-examine the father's appeal for CBI inquiry which had been turned down by HC. Apex court has sought reply from state govt and investigative agency.
June 29, 2017 Bazaar Tand, Ramgarh dist. Jharkhand	Alimuiddin alias Asgar Ansari (45) Meat trader	Attacked by gaurakshaks. Van set on fire. Hospitalized and then died	Allegation of transporting beef	On March 16, 2018, a fast-track court convicted 11 accused including 1BJP leader and 3 members of local gaurakshak committee for murder.

<b>Date &amp; Place of Incident</b>	<b>Who were the victim/s?</b>	<b>Circumstances of Interception</b>	<b>Alleged Offence</b>	<b>Comments</b>
August 27, 2017 Dhupguri, Jalpaiguri, Bengal	Hafiz ul Sheikh (19) Anwar Hussain (19) Cattle traders	Deceased attacked by mob while transporting 7 cows. Van driver sustained injuries	Allegation of smuggling	Immediately after, Nazrul Islam, driver of van, was arrested and 3 gaurakshaks were also arrested. Mob comprised local gaurakshaks.
November 10, 2017, Alwar, Rajasthan	Umar Mohammad (42) Cattle trader	Attacked by gaurakshaks and Ramgarh police while transporting cattle. Body of deceased deliberately left at railway tracks	Allegation of smuggling	Gaurakshaks fired at deceased and claimed that he and his 2 companions also returned fire. Case against Tahir and Javed. 2 gaurakshaks arrested. Police claimed that deceased, Tahir and Javed were habitual cattle offenders.
February 25, 2018. Alwar, Rajasthan	Aas Mohammad (35) from Nuh, Haryana. Cattle trader	Based on tip off, police set up barricade in Dausa dist. Deceased was run over by his vehicle while trying to flee	Allegation of smuggling as vehicle had 23 cows	Case lodged against companion of deceased under IPC sections and Rajasthan Bovine Act. Meo community alleged that the police in collusion with Right wing organizations had intercepted the vehicle and thrashed the youth.
<b>20 Incidents</b>	<b>29 deaths</b>		<b>15 cases of alleged smuggling</b>	<b>1 conviction</b>

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## IV. Cow Vigilantism, Class, Community

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The identities of the victims indicate the communal, caste and class character of cow vigilantism. Out of the 107 instances in which identities were mentioned, 75% were against Muslims, 12% against Dalits and the rest were against marginalized castes and communities. Cow vigilantism impacts a wide range of people such as the poor Hindu or Sikh driver, Hindu small peasants, tribals etc. All such people who are adversely effected are connected through their participation in the agrarian and cattle economy; however, this

relation is mediated through class and community.

### **Class, Law and Cow-Vigilantism**

The cruelty and criminality of vigilantism which is administratively and legally aided has a significant economic character. Bureaucratic procedures, licensing laws, government orders all represent a legal route for an onslaught against the livelihoods of poor Muslims. A key example of the lawful route is Yogi Adityanath's orders to shut down unlicensed

slaughter houses, soon after he became the Chief Minister of UP. Technically, the ban is not against cattle slaughter per se, but against establishments that lack the requisite authorisation and licensing. The ban however adversely affects small, unlicensed slaughterhouses run largely by Muslim butchers and buffalo meat sellers, many of whom are members of the Qureshi community who are traditionally butchers. These unlicensed slaughterhouses cater to the local demand for beef, with buffalo slaughter and meat not being banned in UP. Not surprisingly small Qureshi organisations have protested against the ban and sent appeals to the government which have come to naught. Other than the impact on livelihoods the closure has effected the food intake of poorer sections who can only afford carabeef/ buffalo meat which is cheaper than other kinds of meat and a rich source of protein.

Significantly, the attack through these licensing regulations on those earning their livelihoods through slaughter and sale of beef, does not affect the large beef businesses which produce buffalo meat / carabeef for export, in mechanised, licensed abattoirs. India is one of the largest exporters of beef in the world, 50% of which comes from UP. India's beef exports primarily consist of carabeef. Export of meat of cow and its progeny is prohibited. Thus, the attacks through a bureaucratic route while furthering a communal Hindutva agenda have a clear economic and class dimension.

The Central Government used another legal sleight of hand to practically end cattle slaughter and the market in beef, different route from the de-facto ban in UP. In May

2017 the government sought to modify the central legislation on Prevention of Cruelty to Animals Act of 1960 through new Rules issued through a Ministry of Environment notification. The Rules imposed a national ban on the sale and purchase of cattle for slaughter at animal markets; and added buffaloes, camels etc to this list of animals. According to these Rules, cattle could be bought and sold only for farming through cattle markets, a clearance certificate was required from a designated authority, both buyer and seller would have to provide written declarations that the animal was not for slaughter and would not be further sold for slaughter or religious sacrifice. The ban meant that the sale of cattle for slaughter would be limited to direct sale and purchase by individual farmers. The new Rules, if implemented, would make it practically impossible for farmers to dispose-off unproductive cattle through sale for slaughter and earn some money. A PIL by the All India Kisan Sabha in June 2017 argued that the new rules harmed the interests of all farmers, dairy-farmers, cattle traders, as the extensive paperwork introduced for sale and purchase is a hurdle likely to dissuade farmers from undertaking sales at cattle markets as well as providing occasion for cow-vigilantes to target Dalits and Muslims.

The Beef Exporters' Association too filed a PIL in July 2017 against the central notification, which was heard together with that of the Kisan Sabha. The new Rules in prohibiting sale of cattle for slaughter at animal markets and including buffaloes in the category of such animals would have had serious implications for large beef exporters as they source their cattle from such markets.

Under the new Rules, cattle for slaughter would have to be bought directly from farmers in villages. This will be unviable for the organised beef industry as the supply of cattle to exporters and industrial slaughter houses would become uncertain, not least because of cow vigilantism. Not surprisingly, the new Rules were opposed by big producers of buffalo meat and exporters such as Allanasons- a Muslim owned export company which provides one third of India's beef exports, as well as those running the cattle-markets, who include both Muslims and Hindus.

Cattle-markets too would become an unviable proposition under the new Rules. The high costs of sanitary requirements concerning medical examination, fodder, shelter etc for the cattle introduced in the Rules additionally increase the running costs of these markets. As per media reports, petitions were also filed by individuals like a land-owner whose land is used for a cattle market. In response to a bunch of PILs the Supreme Court stayed the implementation of the Rules in July 2017 and asked the Centre to modify the new rules as "livelihoods of people cannot be subjected to uncertainty."

In November 2017, the media reported that the government proposed to reconsider the notification, but the government seemed to be dithering. But a roll-back seems on the cards a roll-back seems on the cards as in February 2018, the Environment Ministry was reported to have diluted the Rules which banned sale for slaughter at cattle markets and sent these to the Law Ministry for vetting. In hindsight, the writing seems to have already been on the wall as early as July 2017 with the Central

government awarding Allanasons Pvt Ltd for its "outstanding export performance and overall performance in the food sector" of which beef is a major component.

However, there is no such move to withdraw the banning of unlicensed slaughter houses in UP or state laws and administrative measures which aid and abet cow vigilantism and attack livelihoods of poor Muslims, Dalits and those in subordinate jobs in the cattle trade, such as drivers. The speciousness of such requirements for licensing, certification etc and their malafide intent is apparent from cases where possession of requisite papers/certification/ permits/licenses has offered no safeguard against vigilantism. In January 2016, the two Muslim men transporting cows from Bardhaman in Bengal to a cattle market in Birbhum were stopped by a mob, and then arrested for "smuggling" despite having all the requisite documents. On the other hand, permits can be arbitrarily brought into play to victimise, if others forms of harassment come to nought. In July 2017 in Mandsaur, MP, two Muslim women were assaulted by vigilantes and then arrested for possessing beef. When the meat turned out to be buffalo meat they had to be released. They were rearrested on the charge of selling meat without a permit!. 'Licensing' is only another example of the varied instruments for an economic assault on livelihoods of poor Muslims, created via the administration.

The strategy of shutting down illegal slaughter houses has now been extended to Bihar with police conducting large scale raids. In January 2018, a man sitting in a refrigerated truck was attacked on suspicion of transporting beef, followed by a police raid on the factory which



produced the meat. The licensing requirements and police raids have provided a license to vigilantes.

### **Community, Traditional Occupations and Cow vigilantism**

Cow vigilantism as an economic assault is often connected to traditional occupations. In the case of Qureshis their livelihoods have been attacked through preventing them from practising their traditional occupation as butchers and meat traders via licensing laws or extending the list of prohibited animals. With Dalits, on the contrary, cow vigilantism works through coercively enforcing and maintaining caste-based occupations, as these are the basis of social oppression and economic exploitation. We came across 13 incidents where Dalits were attacked by vigilantes, of which eight were in Gujarat. In five incidents, Dalits were attacked on allegations connected with skinning ie work which forms the bottom rung of the leather industry. Dalits have been attacked while skinning cows, a caste-based occupation, on the slightest pretext. In August 2017, in Anand in Gujarat, a Dalit man and his mother were beaten up by Rajputs for skinning a cow near a crematorium instead of at the place designated for skinning, thus asserting caste dominance. Other such incidents have been discussed earlier. These attacks indicate the caste character of cow protection. The leather trade relegates the task of skinning to Dalits, an occupation which also leaves them open to atrocities by upper castes under charges of theft and slaughter. Those higher up in the chain of the leather trade seem immunised against such vigilantism.

Not only has the traditional occupation of Dalits of skinning dead cattle provided an

excuse for targeting, their refusal to practice a caste-based occupation such as clearing cow/cattle carcasses too has aroused the anger of vigilantes. Following the Una atrocities, one aspect of Dalit protests in Gujarat has been the refusal to carry away carcasses, a move met with a back-lash from upper castes. In September 2016, in Banaskantha district, Gujarat, about twenty upper caste men of the Darbar community barged into the house of a Dalit family, beat up six people including three women, of whom one was pregnant, hurled casteist abuses, and threatened to kill them: all because the family refused to clear a cow-carcass from the field of one of the attackers.

Cow vigilantism also functions to maintain caste-based social relations and prevent social and economic mobility of Dalits. This became evident in several incidents in Gujarat that we have documented where Dalits who turn to other occupations or aspire to do so have been attacked. In August 2016, Harsh Parmar a 15-year-old Dalit boy studying in class X was beaten up and taunted that he should know his place and not aspire to an education as he would finally be clearing carcasses. The incident came on the heels of his father taking up wage labour after having taken a pledge, as part of Dalit protests following Una, to give up his hereditary occupation of clearing carcasses. Another incident (again in August 2016) occurred in Mandal village, Rajula Taluka, in Gujarat where two Dalit men, Nagji and Mayabhai Rathod were thrashed by several villagers including the Sarpanch for refusing to dispose-off the carcass of a calf. They had given up the work as a protest against cow vigilantism and attacks on Dalits. Nagji's brother Somabhai owns a factory in

the village where animal bones are crushed before being sent to Godhra for further processing. Somabhai said that they were constantly harassed because of their relative prosperity and the vigilantism was motivated by economic factors. Cow vigilantism thus denies Dalits the right to choose alternative non-caste-based occupations which allow them economic and social mobility.

These above-mentioned incidents of cow vigilantism constitute a counter-assertion by dominant castes to re-establish their authority threatened by Dalit assertion. Dalit resistance has also surfaced in the context of food prohibitions being imposed by Hindutva organisations. In January 2018 in Chinnakandikuru village in Yadadri Bhuvanagari district in Telangana, 11 Dalits from the Madiga community were attacked by 20-30 vigilantes belonging to the RSS on allegations of cow-slaughter. Police aided the vigilantes. A cow belonging to one of the victims was taken away and their houses vandalised. Police filed 13 cases against the Dalits and later booked the RSS men under the SC/ST Atrocity Act. The Dalits have vowed to fight together against the RSS.

An insight into the social economy of cow-vigilantism as a shared economic activity extending beyond identity is provided by the following incident. In May 2017, in Aligarh, Kalu Baghel, an OBC dairy-farmer brought in a butcher Imran and a skinner Bunty (possibly a Dalit) and three others to slaughter and skin his old cow. When the villagers saw blood coming from the dairy, they broke in and attacked the six who were then arrested. The vigilantes thus prevented a logical economic activity of slaughtering an animal that is a

financial burden, from which several people gained. The incident illustrates the local cattle economy and how vigilantism affects all those who are part of this economic activity - farmers, butchers and skinners - across religions and castes. At the receiving end of cow-protection are finally the poor and among them those who are even further marginalised by religion and caste.

### **A Criminal Economy**

The criminalisation of routine activities associated with the cattle economy, its increasing bureaucritisation and sanctioned regulation by civilians has generated a parallel criminal economy. Extortion is the most obvious underbelly of cow-protection politics. In April and May 2016, the BJP and other Sangh Parivar activists were reported to waylay cattle trucks in the villages of Kasargod, Kerala that border Karnataka where BJP was in power. Recently, in November 2017, there were media reports of transporters from different parts of the country alleging gangway 'robbery' by gaurakshaks who stopped vehicles transporting cattle. The gaurakshaks produced identity cards which they claimed had been issued by the state government to board buses and extort money from drivers to let them proceed.

In several instances of cow vigilantism, theft has also been a motive. In an attack on a Gujjar herder, Lal Din, in Rajouri in Jammu, the attackers stole his mobile phone and the Rs. 1.5 lakhs which he had got from selling his sheep and goats. In June 2017, when Ainul Ansari was attacked in Dhanbad, Jharkhand, on suspicion of carrying beef, his wife complained that the mob took away Rs

1,500 and a mobile phone that Ansari was carrying.

Another aspect of this criminal economy is visible in cattle seized from Muslims being handed over to gaurakshaks by the police, making cow-protection a highly profitable enterprise. In Saharanpur in August 2016, when a mob reportedly led by BJP and Shiv Sena activists torched a vehicle seized by police, five of the six cows were handed over by the police to the vigilantes, the sixth had died. “Tip-offs” allegedly meant to uphold law and order represent a well-oiled machinery with the same end results. In March 2016, in Audei Bagiya village in Derapur, UP, the police received a tip-off about slaughter. It found two cows tied to a tree with slaughter instruments nearby. Case of slaughter was registered against three Muslims, of whom one was arrested. Significantly the two cows that were seized were handed over to the villagers.

There are also seizures undertaken directly by gaurakshaks wherein the police’s crimes of omission benefit the vigilantes economically. In October 2017, in Alwar Rajasthan, Gaurakshaks forcibly seized 51 cows from a Muslim farmer and businessman who sold milk in the National Capital Territory (NCR) region. The cows were sent to a gaushala and 20 male calves were left behind. When the owner approached the police, they did not register his complaint saying that the matter should be settled between him and the

villagers, making it clear that this criminal economy has the blessings of the police.

Administrative measures to maintain law and order are providing a formal footing for this criminal economy and propagating corruption. According to a January 2018 report twelve special Gauraksha Chowkis / Cow-protection Police Booths have been set up in Rajasthan of which six are in Alwar. One supposed purpose of the chowkis is to watch out for vehicles crossing border areas especially into Haryana in order to prevent “smuggling”. Toward this end they have been deputed to check certifications of sale, verify documents that the animals were not meant for slaughter etc. These gauraksha chowkis have reportedly emerged as additional centres for extortion. The gau raksha chowkis are nothing but an official avenue for cow vigilantism. The modus operandi of the police manning the gauraksha chowkis, such as spreading planks with nails on the road to puncture tyres of trucks and force them to stop, setting up blockades, confiscating vehicles etc. mirror that of vigilante organisations. Recently, the Uttarakhand Govansh Sanrakshan squads have been created which include policemen in both Garhwal and Kumaon. The police are active participants in and beneficiaries of the corruption on which this criminal economy prospers. Cow vigilantism is thus not just an ideological Hindutva project but a criminal economic enterprise with Muslims as primary targets and the state as patron.

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## V. Stories of Connivance: Police, Administration and Vigilantes

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“apparently even the senior functionaries of the police are hand-in-glove with such vigilante groups...”.

Judge’s observation in the Allahabad High Court Order into Mustain’s killing

A common charge made against alleged victims is that of smuggling of cows with the intent of slaughter. While the number of allegations of smuggling are many and, in most cases, the alleged smuggler/s are caught and thrashed, if not beaten to death, in a few instances there have been exchanges of fire between the vigilante group and police against the alleged smugglers at the time of interception. In four such instances where exchange of fire was reported, in Tarauni-Karnal, June 2016; Mahendergarh, August 2016; Amroha, May 2017; and Udham Singh Nagar, February 2018, the alleged smugglers died in three cases. The question of violence and death related to cattle theft is certainly on the rise but, underlying the reiterated usage of ‘smuggling’, is a familiar practice of cattle theft, poaching and interception of thieves. Since cow politics transforms the routine problem of rustling in rural and even in urban areas into ‘intended’ acts of slaughter, the criminality underlining vigilante actions is accepted and lauded as protectionism.

The role of the police in favouring such protectionism is obvious as it has mainly taken action against victims in the 137 documented cases. Cow vigilantism presents a particularly politicized notion of injustice as the victim is never regarded as a victim: either in the hands of the mob or in hands of the law, the victim of cow vigilantism is always treated as an accused. Not surprisingly,

besides formal charges and arrests, police actions against victims extend to their family and workplace too as raids, detentions, withdrawal of licences and seizure of cattle and property can all be done in the name of law.

**Inequality before the Law:** While those attacked may be engaged in legitimate activities or illegal ones, what is certain is that the actions of the cow protection groups are criminal. However, the sanction allowed to the cow-vigilantes by the state bestows them with an arbitrary power to play witness, police, judge and jury. As Mustain’s mother in an interview given to the press asked: even if it was assumed that Mustain was doing something illegal, did he deserve to be tortured and killed, and what was the police doing?

Several incidents underline the blatantly prejudiced attitude of the police, where despite evidence of assault and vandalism, no action was taken. In September 2016 in Alwar, Rajasthan, Gau Rakshaks along with members of Bajrang Dal, Shiv Sena and BJP beat up Meo-Muslim villagers accusing them of cow slaughter, ransacked and looted their houses after Eid. Many of the assaulted villagers were cattle herders. While police took no action against the vigilantes for ransacking, loot and assault, it arrested 12 Muslim cattle herders under the Rajasthan Bovine Animal Act.

Attacks on victims' dignity are likewise sanctioned by the police. In June 2016 in Mewat, Haryana, two men - Rizwan and Mukhtiar - accused of transporting beef, were forced to eat cow dung by members of the Gurgaon Gau Raksha Dal. A video of the incident was made. While police denied knowledge of the video and prevented any action against the gaurakshaks, Rizwan and Mukhtiar were arrested under Prevention of Cow Slaughter Act and sent to judicial custody.

### **Police and Vigilantes, Echoing Voices:**

The documentation repeatedly shows how the police readily declared the mundane acts of the victims' illegal without having done any investigation in the case. Quotations by police referring to "banned meat" or "prohibited" meat are not infrequent in media reportage, and the fact that in several cases the meat turned out to be of buffalo or chicken hasn't deterred the police. In June 2017 in Dhanbad, Jharkhand, Ainul Ansari, a 35-year-old Muslim man was attacked by a mob, while riding his scooter from Murahdih to Barbadda village, on suspicion that he was carrying beef to an Iftar party. Police arrived and took Ansari to hospital. The police registered an FIR against Ansari and sent the meat for testing, but siding with the vigilantes, it declared the meat 'prohibited' before the results arrived. In March 2016 in Ramnad, Tamil Nadu opening of a beef stall near Sandhana Mariamman Temple was opposed by district unit of the BJP. The shop-owner, a Muslim, was intimidated by BJP members. The police intervened in the case and ordered the small shop-keeper not to sell beef till dispute was resolved.

**Partisan Actions:** Against this alacrity, the police's approach towards vigilantes is one of denial and procrastination. In July 2017, the police detained transporters on basis of false allegations in Guwahati in Assam but had to let them go when the papers on them were found to be genuine. The police however did not file a case against Hindu Yuba Chhatra Parishad, Dimoria Unit, who had stopped and assaulted the two, and gave the oft repeated explanation that no one had filed a complaint against the Chhatra Parishad. Even in matters of sexual harassment, the police failed to act against the vigilantes. No action was taken against gaurakshaks against whom Banjara women complained of sexual harassment, in Hathras, UP in May 2016. Three of the Banjara men were however arrested following a complaint by the vigilantes.

**'Mistakes' Allowed:** A majority of the incidents of vigilantism which have resulted in either violence or cases against the victims have been based on suspicion. Adding to these are cases where the victims have been assaulted and then the allegations against them, frequently based on unverified rumours, proven incorrect. Instead of taking action against the vigilante groups in such cases, the police has termed these as cases of 'misunderstandings' absolving the vigilante groups of culpability and therefore emboldened others. In March 2016 in Chittorgarh, Rajasthan, four Kashmiri Muslim students of Mewar University were beaten up by the Bajrang Dal after rumour spread that they were cooking beef in the hostel. The students were detained for hours at the police station, the police began an investigation and when nothing was found, they were later released. Police called it a "misunderstanding"

and no action was taken against Bajrang Dal. In another incident in May 2016 in Hathras in UP, a student who had come for tuition classes was thrashed on suspicion of stealing

cattle by local residents who took him to the Police Station but later withdrew their complaint as a “mistake”. No action was taken against them.

### **An Incident that Says it All**

In May 2016 near Ghumana village, Pratapgarh district, Rajasthan, about 150 people headed by members of Bajrang Dal intercepted two trucks carrying 96 cows on National Highway 113 in Pratapgarh in Rajasthan, thrashed four of the occupants of the trucks and stripped one, a Muslim, naked and seized one truck. The police seized their second truck and arrested the victims. It took the victims for medical attention but first chained them by the arms and legs to the hospital bed. Surprise of surprises, the police also filed an FIR against the vigilantes and arrested one of them, probably because the incident had been caught on camera and drawn wide condemnation. Tellingly, the officer who had filed the case against the vigilantes was transferred.

**Lawlessness in the Name of the Law:** The police’s routine response is to grant impunity to the vigilantes by allowing riot like situations where they can vandalize public and private property in the name of cow protection, while all that the administration does is crowd control. For instance, in February 2017 in Malegaon, Maharashtra, Gau Raksha Samiti, VHP and Bajrang Dal carried out a procession to observe a one-day strike for ‘saving cow progenies’. During the procession, Muslim homes and shops were stoned while Muslims passing through Hindu localities were beaten up in several cases. Butcher shops were not allowed to open. Five Muslims were severely injured, all in broad day light in the presence of the police.

In other instances, the police is not simply a passive by-stander but actively colludes with the vigilantes. The incidents of “tip-offs” reveal that the vigilantes and police share not just a common modus operandi but also communal feeling, as evident from the arrest of Muslims in a large number of incidents. In

the incidents of tip-offs mentioned in Chap.2, police has registered FIRs and carried out arrests on the basis of allegations of smuggling or transporting beef made by vigilantes without any hard evidence.

**Illusion of Justice:** In a very large number of incidents of vigilante attacks, no accountability has been fixed. But there have been cases in which action was taken against the assailants, a large number of which are cases where people died in vigilante violence. While immediate FIRs were filed and arrests carried out in most such cases, the manner in which these cases unfolded post arrests have their own story of impunity to narrate. The police’s partisan behaviour constitutes an abdication of its responsibility to protect all citizens, especially the most vulnerable. The police’s acts of omission and commission make them all the more culpable as the license granted the cow-vigilantes breeds a communal and criminal culture where attacks on Muslims and Dalits in contexts other than of cow vigilantism become permissible.

In the incidents related to the 29 deaths, the follow up is revealing as it shows how few serious cases are lodged and arrests made. Of the cases in which investigations have proceeded, the cases of Mazloom Ansari, Imtiaz Khan, Mohammad Ayyub, Junaid and Pehlu Khan, etc---reveal the police's collusion and biases in favour of the accused. In the Latehar incident of March 2016 in which Mazloom Ansari and young Imtiaz Khan were found hanging from two trees, the local police were keen to explain the case as one of robbery. More importantly, the eight arrested were out on bail within six months and two others named by villagers were never detained. In the Mohammad Ayyub case (September 2016), a case in which gaurakshaks chased the victim's vehicle and thrashed him to death, the police erased the names of the gaurakshaks who had been named in the initial FIR. Similarly, in the days following Junaid's murder, the charges made were changed. Initially, the police made five arrests; however, when the chargesheet was framed, murder charges were dropped against four of the accused and they were booked under lesser charges. Equally, the developments in the Pehlu Khan case show the police's vindictiveness. In a bizarre move, on January 24, 2018, the Alwar police filed another chargesheet, this time against the surviving victims, Azmat, Rafique and the driver as well as his father on charges of smuggling under the Rajasthan Bovine Animal Act. The police maintained that since the victims failed in providing necessary documents, they were deemed as guilty of smuggling cows! Azmat rightly asked how this could be called justice? "We were attacked and beaten up by the mob, and now we have been made the accused" (*Indian Express*, February 1, 2018).

The protection that the courts offer to gaurakshaks is also part and parcel of the reigning regime of cow vigilantism. Bail is easily granted as evident in the well-known case of Mohammad Akhlaq, who was beaten to death in September 2015, as the 18 accused were let off on bail within two years and the charges had still not been framed against them. What's more, 15 of them were given government jobs on contractual basis in NTPC. The political outcome of the case is obviously related to the fact that one of the accused, Vishal Rana, is the son of the local BJP leader. The power and patronage of gaurakshaks easily lends legal protection to the accused and, in the Junaid case, the Additional Advocate General, Haryana, Naveen Kaushik, a RSS man, had little qualms in openly assisting the legal counsel of the accused. Fortunately, the trial court judge sought action against Kaushik's 'professional misconduct' and the latter was forced to resign in November 2017.

Against this entrenched cynicism spawned by gaurakshaks, police and courts, the conviction of 11 accused by a fast track court in Jharkhand in March 2018 offers hope for justice especially since the trial was completed within nine months of the murder of Alimuddin Ansari, and that the accused have been rightly convicted for murder. It is naturally hoped that the verdict will be upheld in the higher court. The intervention of the Supreme Court, in March 2018, in the trial in the murder of Junaid is heartening as it has taken note of the father's plea for an independent probe which had been rejected by the Punjab and Haryana High Court. While such judicial decisions are positive and much needed, it needs to be considered why the deliberate acts of communal hatred underlying cow vigilantism are

not punished appropriately under relevant sections of existing laws as these acts are meant to spread fear among the Muslims and Dalits communities. The very large number of varied incidents documented in the report suggest a disturbing trend, of how organized cow vigilantism offers effective replacement for communal riots.

The use of the SC/ST Atrocity Act undoubtedly proffers legal recognition to vigilante attacks as caste crimes. However, the fact that justice continues to elude victims, as evident in the Una case, or that such attacks continue to occur, as evident in the 2018 Ballia case, illustrates the dominance of upper caste Hindutva politics within criminal jurisprudence. Significantly, the Gujarat CM had assured that the Una case would be tried in a special designated court and that it would be over in 60 days. Till now there is no evidence of such a court being set up or news

of the transference of the case in the nearest atrocity court in Junagadh. The case continues to be heard in the court of the additional sessions judge in Una and out of the 43 accused, at least 32 had procured bail from different courts, by September 2017. Recently, Vashram Sarvaiya, the eldest of the three brothers who was beaten up summed up the case of justice in the following words: “The accused are roaming free after they were released on bail, and the case drags on. We haven’t been given anything as promised by the state government. All we have got was Rs 3 lakh that is given to Dalit victims in atrocity cases, but most of the money was spent on litigation and medicines as our father Ashok Sarvaiya continues to suffer due to the thrashing and needs to be taken to an Ahmedabad hospital for treatment” (*Indian Express*, January 9, 2018).

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## VI. Conclusion

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In this report through the data collated, the attempt has been to provide a glimpse of the many facets of cow-vigilantism, the insidious forms in which it finds expression and its diverse consequences, as part of a continuing process. Cow protection and the politics around it continue to evolve even as we watch. Thus, the economic implications of the Prevention of Cruelty to Animals (Regulation of Livestock Markets) Rules and the pressure from significant trading communities has made the Government rethink the provision banning sale of cattle for slaughter at animal markets, introduced in May 2017.

Electoral politics and regional factors too play a role in the BJP’s stance on cow protection. The direction this will take will become clearer in the following months once bans on cow slaughter are revisited by the consequences of electoral politics. The electoral and regional contexts which have a hand in shaping politics around cow and beef, however lie outside the scope of this report.

Economic and electoral calculations notwithstanding, what is amply clear is that cow vigilantism continues unchecked and unabated. So even as the Central



Government seems to be back-peddalling on its anti-cow slaughter ideological project by modifying the above-mentioned Rules, the Rajasthan Government has simultaneously (on February 26, 2017) announced its intention to amend a provision of the Rajasthan Bovine Animals Act which would open up new opportunities for corruption and victimisation. As part of its anti-smuggling activities, the Rajasthan police has regularly seized vehicles supposedly as evidence of illegal transportation, but these seizures were entirely illegal as the Act does not contain any such provisions. The intended amendment seeks to legalise such seizures by including them in the section on "Transporter to be Abettor", thus extending the 'legal' footprint of the criminal economy. Given Rajasthan's history of vigilantism, it is apparent that the targets will primarily be Muslims. The rolling back of one legislation and, at the same time, the enhancing of another, indicates that the government's doublespeak. So, even as big businesses are to be protected against the cow protection agenda, the fascist Hindu juggernaut rolls on, riding on the back of lumpen gaurakshaks incentivised by political parties and immunised against criminal action, with poor Muslims and Dalits at the receiving end.

The Supreme Court's ineffectiveness in getting governments to at least pay lip-service to its orders on cow vigilantism further illustrates the scope and intensity of the onslaught. In April 2017 the SC asked six state governments and the Centre to respond why vigilante groups ought not to be banned; the Centre side-stepped it as a law and order

issue and therefore a state subject. In September 2017, the apex court directed all state and union territories to appoint police forces to crack down on vigilante organisations; the Rajasthan and Uttarakhand governments responded by setting up gaurakshaka chowkis which aid rather than check cow-vigilantism. In January 2018 all the apex Court could do was ask the Rajasthan, Haryana and UP governments why contempt proceeding should not be initiated against them for ignoring its orders.

The picture that emerges is starkly clear. The assault on Muslims and Dalits is doubly serious as it has economic and legal as well as physical repercussions. The state patronage extended to cow vigilantism, connivance of the police, and side-lining of the judiciary makes for an increasingly communalised and corrupt polity. The growing number of hate crimes, which include a Muslim man's public lynching for scratching the SUV of his neighbours in Bhopal in May 2017, and three men being beaten to death in police presence on suspicion of child-lifting in East Sighbhum, indicate a pattern of aggressive assertion of majoritarian dominance and criminality. Cow vigilantism is one manifestation of this licensed assault on citizens' rights to life, livelihood, freedom of occupation and religion which must be halted before the damage to our democracy becomes irreparable. PUDR calls upon all citizens to resist this fascist attack and demand that the state fulfil its constitutional obligations to safeguard the life, liberty, dignity of its citizens and ensure equality and justice to all.

PUDR demands:

1. Immediate withdrawal of bans on slaughter and transport of all cattle.
2. Decriminalisation of sale and possession of beef.
3. Registration of FIRs and criminal investigations into all incidents of cow-vigilantism.
4. Registration of criminal cases against cow-vigilantes.
5. Legal action against all those who aid and abet vigilantes, including police personnel and politicians.

**Table: Caste Vigilantism: Attacks on Dalits**

Date/Place	Who are the victim/s?	Circumstances of Attack	Comments
May 22, 2016 Rajula town, Amreli, Gujarat	7 men: Ravi Zakhada, Prembhai Rathod, Dileep and 4 others. Skinning carcasses in place allotted by local municipality	Brutal thrashing with bats, iron rods and swords by 30 gau-rakshaks who broke hands and legs of victims.	Incident came to light only in July 2016. Victims alleged that gaurakshaks planned to burn them alive. Police registered case only against 19 after repeated complaints. In July, after Una, the police arrested 6 persons
July 10, 2016 Kondur village, Chikmagalur, Karnataka	5 men Muttappa, Balaraj Sandeep, Dhanush and one other.	Seven members of Bajrang Dal raided home of one victim on suspicion of theft and slaughter.	Dal members alerted police who arrested 3 victims for cruelty against animal. Victims stated that were legally slaughtering an ox which they had bought and filed counter FIR against 7 Dal activists for raiding and attacking Dalits. Dal members obtained bail and were not arrested.
July 11, 2016 Mota Samadhiyala village, Una, Gujarat	7 Dalits attacked when four of them were skinning a dead cow. Assault occurred just outside the PS, using the lathis of policemen.	Victims were stripped, tied to a car with a Shiv Sena sticker, dragged for about a kilometre and then beaten up with iron rods and sticks.	Widespread protests in the state and later nationwide against injustice and for dalit rights. On July 31, thousands pledged in Dalit Maha Sammelan in Ahmedabad to stop picking up carcasses and give up occupations like manual scavenging. 43 persons arrested under SC/ST Act but 32 have already obtained bail. Case still on.
July 27, 2016 Navsari, Gujarat	Girish Sosa	Victim thrashed by Gau Raksha Samiti for allegedly carrying beef.	Victim said he was unaware of content which was given to him by vegetable seller Kishor Morey for delivery. Arrested for selling beef but obtained bail.
August 4, 2016 Sultanpur town, Raisen district Madhya Pradesh	Manu Lal Parmar Mohsin Khan (Driver and helper)	Bajrang Dal activists attacked duo when truck accidentally killed cattle	Parmar drowned in Barna river while escaping from Dal members. Khan survived. Case registered against 'unknown' persons.

<b>Date/Place</b>	<b>Who are the victim/s?</b>	<b>Circumstances of Attack</b>	<b>Comments</b>
August 8, 2016 Amalapura, East Godavari, AP	Mokati Elisha Lazar	Victims tied to coconut tree, stripped and beaten by mob for skinning dead cow	Victims were hired to skin dead cow that had been electrocuted. Both hospitalized after attack. Case registered under SC/ST Act. Two accused identified, but information on arrests not known.
August 20, 2016 Bhavda village, Ahmedabad dist. Gujarat	Harsh Parmar, student	Beaten by 2 activists as his father refused to dispose cattle carcasses; and for participating in post Una protests	Victim traumatized and had to be sent away from village. Father lodged complaint under SC/ST Act. Father has pledged to give up caste based menial occupation. Now, lives by wage earning. Police has downplayed the incident as 'minor scuffle'.
August 21, 2016 Mandal village, Amreli dist. Gujarat	Nagi Rathod Mayabhai Rathod	Thrashed at home by locals, including Sarpanch for refusing to clear carcass of calf	Victims hospitalized after beating. Both had pledged, after Una, to give up caste-based menial occupation and because of growing attacks by vigilantes. Police registered case against 7 persons under SC/ST Act.
September 23, 2016 Mota Karja village Banaskantha dist. Gujarat	Sangeeta and Ramesh Ranawasia and 4 others	Victims assaulted by 10 Darbar community men after refusing to clear cow carcass	Victims had given up, post Una, caste based menial occupation. Couple admitted to hospital especially since Sangeeta was five-months pregnant. Case against six under SC/ST Act.
July 15, 2017 Bapunagar, Ahmedabad Gujarat	Vishal Arsodiya	Abused and stabbed by 3 men after victim accidentally kicked cow blocking his scooter	Victim hospitalized. Police claimed to have identified 3 accused, including assailant, Raju Rabari.
August 15, 2017 Anand, Gujarat	Maniben Shailesh Rohit (mother and son)	15 Darbar men barged into home and mercilessly beat and abused duo over skinning carcasses allegedly near crematorium	According to victims, the upper caste vigilantes accused Shailesh of creating a stink even though he skinned carcasses at appointed place, away from village. FIR registered against accused but no arrests made.
January 8, 2018 Rasra town, Ballia, UP	Two Dalit men	Victims tonsured, paraded by Hindu Vanini activists on charges of theft of cow.	Victims forced to wear placard saying, "hum chor hai" while being paraded. FIR against victims for theft. FIR also lodged against 15 unknown persons under section 342, 323, 506 IPC and SC/ST Act.
January 15, 2018 Chinnakandukuru village, Yadadri Bhuvanagiri dist. Telangana	11 Dalits belonging to Madiga community	Victims attacked by 20-30 RSS men on news of slaughter for sankranti. Victims fled and vigilantes stole a cow from one victim.	Attackers vandalized homes. However, police filed case against Dalits for slaughter. Also filed case against attackers under SC/ST Act. Dalits have resolved to hold a beef festival and also form a committee with neighbouring village and local Left leaders for demanding arrest of RSS goons.

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**Published by:** Secretary, People's Union for Democratic Right, PUDR

**Printed at:** Progressive Printers, A-21, Jhilmil Industrial Area, GT Road, Shahdara, Delhi-95

**For Copies:** Dr. Moushumi Basu, A-6/1, Aditi Apartment, Pocket D, Janakpuri, New Delhi-58

**Suggested Contribution:** Rs.20/

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