

GUIDELINES
ON
COMMUNAL HARMONY



MINISTRY OF HOME AFFAIRS
Government of India

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1. **Introduction**

The maintenance of communal harmony, and the prevention/avoidance of communal disturbances/riots and, in the event of any such disturbances occurring, action to control the same and measures to provide protection and relief to the affected persons, is a prime responsibility of the State Governments.

2. **Preventive Measures**

2.1 Preventing a communal riot is far more important than containing it. In this context, the District Administration should carefully assess the communal situation in the District on a regular basis and prepare a profile of the District. They should identify and specify areas which are prone to communal sensitivities and tensions, inter alia, in the light of:

- (a) the demographic profile;
- (b) the existence of any structures, monuments, etc., around which there may be existing or potential disputes/controversies;
- (c) any other disputes over land or any other issues which may have a potential for generating communal disputes/tensions;
- (d) routes of processions, etc., which may have led to disputes or tensions in the past, or have such potential in future;
- (e) the history of past disputes, clashes & riots, and
- (f) history of religious conversions/reconversions, etc.

Based on these, and any other relevant factors, specific areas should be identified as sensitive/hyper-sensitive and, the position in this regard should be periodically reviewed and updated.

- 2.2 Details as above should also be systematically maintained at each police station concerned. The Station House Officers and other senior officials at the police station level should keep a close watch on the situation in such areas, apart from periodically visiting them for promoting public contact and interface with the civilian population and community leaders.
- 2.3 Communally sensitive places should be identified in the riot-prone areas for making necessary administrative arrangements. Police Stations/Posts should be set up in all sensitive/trouble-prone areas. Manpower requirements for these areas should be realistically assessed. It should be ensured that all vacancies are filled up and manned. They should be provided with adequate personnel, weaponry, communication links, equipment for videography, vehicles etc. and these should be constantly reviewed.
- 2.4 With reference to the sensitive/hyper-sensitive areas as mentioned above, the District Administration should anticipate possible developments that can happen on certain occasions, or in different kinds of situations, and prepare detailed Standard Operating Procedures (SOPs), and contingency plans to deal with them, so that escalated situation/riots, etc., could be pre-empted/prevented.

2.5 Special attention needs to be given to developing mechanisms for intelligence and information gathering, and suitably integrating them with the response mechanism. The intelligence feed back, especially from the ground level, should be effectively made use of by the administration. The district administration also needs to develop independent sources of intelligence as such sources will have higher credibility. This could be done by developing contacts and sources among the community, substantial activation of the traditional 'beat constable' system, and posting of intelligence personnel in the hyper-sensitive/sensitive areas/police stations. Such persons should be properly trained and briefed and, if necessary, suitable incentives could be given to them.

2.6 A weekly/fortnightly intelligence/situation report should be sent to the sub-divisional/district level by each police station in hyper-sensitive/sensitive areas, and the situation should be reviewed on a monthly basis at the level of District Magistrate and Superintendent of Police. During such reviews, compliance with the guidelines mentioned above should be specifically seen. In addition, this should also be done during inspections of the Police Stations and sub-divisional offices.

2.7 Senior Police and Administration officers at the District and other levels should visit the communally sensitive areas from time to time, even during periods of normalcy, and interact with the responsible community leaders with a view to developing a rapport with them.

2.8 Activities of organizations with avowed goals that could undermine communal harmony should be continuously kept under careful watch and scrutiny, and a record of the activities maintained. If any such organizations are found to be indulging in any unlawful activity as defined in the Unlawful Activities (Prevention) Act, 1967, action to declare them as Unlawful Associations under the Act and other consequential action should be taken. District/Police Station level monitoring of these organizations should be carried out at periodic intervals.

3. Administrative Measures

3.1 At the State level meetings of the State level Integration Committee, under the Chairmanship of the Chief Minister, may be held at least once in a quarter to review the communal situation in the State.

3.2 At the level of the State Government, a nodal cell may be set up to act as a clearing house of information on the communal situation and matters related thereto. It may maintain a database on various communal incidents, including details about the damage caused, lists of cases registered and progress of prosecution, etc. It could also study the patterns of communal disturbances in the State with a view to preparing appropriate preventive plans. In addition, it could coordinate with other departments/agencies on issues relating to compensation, relief and rehabilitation, etc.

3.3 At the State and District levels, there should be a crisis management plan, which should clearly delineate the possible causes and ramifications of the crises that could erupt due to communal disturbances, identify specific roles and responsibilities for different agencies when any critical situation arises, identify the resources to be deployed, and set out the procedures to cope with such situations.

3.4 At the field level, Police and the local intelligence agencies/ institutions best know the elements who have a record of, or could be expected to, create communal rifts, directly or indirectly. A list of such elements should be readily available in all Police Stations. During festival season, or on any other occasion when communal tensions, or possible incidents of a communal nature, are apprehended, immediate steps should be taken to isolate such elements, including preventive action against them wherever necessary.

3.5 In communally sensitive towns and areas, Peace Committees / Quami Ekta Committees, comprising prominent citizens, community leaders and representatives of political parties, respectable organizations, etc., should be set up, and periodic contacts with them should be maintained by the concerned officers at the police station, sub-divisional and district levels. Prominent persons/ members of Peace/National Integration Committees, and voluntary organizations in the area, could make a significant contribution towards the maintenance of communal harmony, and prevention of communal discord, if they are involved in overseeing the situation in areas over which they have influence. Women, who constitute a very vulnerable group in the context of communal tensions /riots, play an effective role in helping to defuse communal tensions and to prevent riots. Their fair representation in Peace Committees could help in containing riot situation.

3.6 In the event of any incident or apprehension of communal tension, among other measures, the peace committees should be immediately activated with the aim of defusing the situation.

3.7 A Code of Conduct should be evolved in consultation with leaders of different communities for the observance of various festivals which should be widely publicized. Members of the Peace Committees should also be involved in educating the public about the contents of such Code, so as to ensure that festivals are observed in an amicable atmosphere without causing any annoyance to any individual or sections of society. Mohalla Committees, comprising members of all communities, should also be constituted for the proper and peaceful observance of festivals.

3.8 The unregulated use of loudspeakers has often been a cause for arousing passions and evoking violent reactions among different groups of people. Apart from the use of various legal provisions under different legislations to regulate the use of loudspeakers, and strict observance/enforcement of any specific conditions that are imposed while granting permission for the use of loudspeakers, care should generally be taken not to permit use of loudspeakers between 11 P.M. and 6 A.M. The provisions of the Noise Pollution (Regulation and Control) Rules, 2000 framed under the Environment (Protection) Act, 1986, which regulates the use of loudspeakers and amplifiers in all places, including places of worship, should also be widely publicized and followed.

3.9 Various kinds of religious processions have very frequently led to communal confrontation and clashes. Often, various organisations also tend to organise, and view, processions on religious occasions as a show of strength, which could itself become a cause for provocation. Organizers of religious processions may be asked to give a substantial deposit if the procession passes through any sensitive areas, and to ensure that they adhere to the permitted routes. In all cases where there is any sensitivity attached to such processions, careful security arrangements must be ensured along the route to prevent any untoward incidents and specific officers should be made responsible/designated to ensure the same. This is in addition to involvement of, and giving responsibility to, identified respectable members of the community, in the peaceful conduct of processions.

3.10 Video/Audio coverage and cameras may be used to record the proceedings and movements of such religious processions and gatherings, particularly where the routes may be sensitive or, there may otherwise be even a remote apprehension of possible untoward incidents. These recordings could be subsequently used, in case of any communal disturbances, inter alia, for speedy identification and prosecution of the offenders and, in the process, could also act as deterrent.

- 3.11 Appropriate measures should be taken to regulate the carrying of firearms, sharp weapons, bludgeons, sticks, corrosive substances and explosives, etc. Such measures may include, where necessary, direction for depositing these with the police on certain occasions.
- 3.12 Similarly, measures should be taken to regulate the exhibition of persons or corpse or figures/effigies thereof, public utterance of cries, delivery of harangues, or display of any provocative object including symbols, placards, etc.
- 3.13 Effective and meaningful action needs to be taken to curb and check rumours. Rumour mongers should be promptly brought to task. Channels of communications also need to be established with leaders of all communities, and strict action should be taken against anyone inflaming passions and stoking communal tension by intemperate and inflammatory speeches/utterances. Use of the media and other channels for promptly scotching any rumours and keeping the people informed, should be ensured. Often, it is observed that the whole administration gets involved if any crisis breaks out and this aspect gets overlooked. Proper assignment of nodal responsibility and modalities for information management is of critical importance, and should be ensured.

- 3.14 On some occasions, the outbreak of communal violence could lead to panic reactions among members of the different communities, including possible migration (and damage to properties in the wake of such migration). Areas vulnerable to such reactions need to be identified in advance, and monitoring and preventive measures put in place. This is also a matter which is highly prone to spreading of rumours and exaggerated reports, and needs special attention of the district administration.
- 3.15 Adequate steps should be taken to ensure that no damage is caused to places of worship, and provisions of "Places of Worship (Special Provisions) Act, 1991" which provide punishment of imprisonment for damaging religious places and premises and for the establishment of special courts for speedy trial of all such offences, should be invoked.
- 3.16 Any construction of religious places shall be made only after the proposals / plans are duly approved by the appropriate authority / statutory body and at the earmarked places. Cases of construction of unauthorized religious places should be dealt with severely under the existing laws. Negligence on the part of the District administration in implementing this direction should be seriously viewed and guilty dealt with.

3.17 “The Religious Institutions (Prevention of Misuse) Act, 1988” has been enacted with a view to maintaining sanctity of religious places and to prevent their misuse for political, criminal, subversive or communal purposes. It, inter-alia, casts responsibility on the manager to inform the police in the event of misuse of the place of worship. The Act also, inter-alia, prohibits storage of arms and ammunition inside any place of worship.

3.18 If a communal incident occurs, a report should be sent to the Ministry of Home Affairs immediately which should be followed with a detailed report, mentioning, inter alia, the grant of awards for good work or punishments for showing laxity to the district officers connected with the incidents.

4. **Personnel Policy**

- 4.1 The composition of the police force, especially those deployed in communally sensitive areas, should be representative of the social structure of the region so as to ensure its credibility, and help in creating a feeling of confidence among all sections of the people.
- 4.2 The following steps which have been recommended from time to time, should be taken:-
- (a) All efforts should be made to fill up vacancies in communally vulnerable areas on priority basis.
 - (b) Creation of composite battalions of armed police which should include members of all communities including SCs/ STs for use in maintaining communal peace and amity in the sensitive areas.
 - (c) Review of the training programmes for the police forces with a view to inculcating in them the attitudes of secularism and communal harmony, and conduct of special training/ orientation programmes for the members of the State Police Force.
 - (d) Steps should also be taken to ensure smooth functioning between the civil administration and the Army.

- 4.3 Medical Relief Teams should be constituted in such a manner that, as far as possible, members of various communities are represented in it. The team should not only be technically competent but should have the qualities of sincerity and empathy for the victims.
- 4.4 In communally sensitive and riot prone areas police and administrative officials of proven integrity, efficiency, impartiality and non-partisan outlook should be posted.
- 4.5 Every public servant should exercise the lawful authority vested in him/her to prevent commission of any communal violence, protect or provide protection to any victim of communal violence in a strictly neutral manner, and any malafide act or omission should be severely dealt with. Due recognition should be given to the services rendered by the district administration in preventing and dealing with communal disturbances.

5. Visits by VIP / dignitaries

During communal disturbances, various VIPs/political dignitaries visit these areas with a view to strengthening the public confidence. It is desirable that necessary care may be taken by all to ensure that measures taken by the local administration for maintenance of law and order and conducting relief operations, etc., continue as per the plans.

6. **Participation of stakeholders**

- 6.1 In a communally-sensitive area, small shopkeepers, entrepreneurs and daily-wagers are most prone to loss and damage to life and property, if the situation goes out of control, leading to arson or violence. They are most likely to face economic burden, due to loss of income or property, most of which is not covered under any type of insurance. They can thus be the most willing partners in maintaining peace and communal harmony in the area. Similarly, women who are the worst sufferers in such situations may also be keen to ensure communal harmony. The district administration can tap the resources and energy of these people/groups in ensuring peace.
- 6.2 There are many voluntary organisations in the country, which are working in the field of promoting peace, national integration and communal harmony. Such Organisations usually have motivated and well-intentioned volunteers and workers. The district administration should maintain comprehensive information and data base about such organisations, and should mobilize support of, and encourage, such organisations, in their efforts to maintain communal harmony, and diffusing tension if a communal situation arises.
- 6.3 Notwithstanding the above, the issue of involvement of various organisations particularly in the distribution of relief, etc., has often become contentious and controversial. Proper SOPs need to be worked out in this regard.

7. Press/Media and awareness building

- 7.1 Promoting the cause of communal harmony and peace should be a constant endeavour of the administration. For this, a multi-media publicity and promotion campaign needs to be conducted, on a continuing basis, from time to time.
- 7.2 “Catch them young” should be the philosophy for promoting the concept of communal harmony. Inspiring literature should be distributed among the school students, both in the government and in the private sector, and they should be encouraged to organise various competitions and talks on the subject of communal harmony. The involvement of National Service Scheme (NSS) volunteers should also be similarly encouraged and promoted.
- 7.3 If any communal incident occurs, channels of contact with media persons should be established at a responsible level. The objective is to provide the media with the facts to avoid speculative reporting leading, inter alia, to fuelling rumours and community sentiments. Frequently, the electronic media continuously shows images of specific incidents, which could lead to exaggerated perceptions about the incidents and lead to provoking sentiments and passions. Regular monitoring and briefing of the media in this context should be ensured.

8. Enforcement Action and Monitoring of Cases

- 8.1 Whenever any communal incidents are apprehended or occur, prompt and immediate preventive/enforcement action may be taken, including, imposition of prohibitory orders/curfew, as necessary, and strict and neutral enforcement of the same, apprehension /arrest of the potential miscreants/ those indulging in violence, arson, etc., registration/institution of cases.
- 8.2 Prosecution of all offences relating to communal violence/rioting should be carefully monitored and, wherever necessary, special investigation teams (SIT) may be constituted for ensuring fair and impartial investigation.
- 8.3 The State Government concerned may consider appointing Special Public Prosecutors for proper prosecution of the above cases, which should be vigorously pursued. All such cases should be monitored at the district level and at the State Government level.

8.4 Special Courts may be set up, whenever the situation so demands, for the expeditious trial and disposal of communal riot cases. When a communal riot takes place and an Enquiry Committee/Commission is set up, it should be given a time-specific mandate for completion of its inquiry. The State Governments should give priority to providing all manner of logistic support required by the Committee/Commission to enable it to submit its report on time. Its recommendations should be expeditiously implemented, say within 3 months and the Central Government should be kept informed.

9. Relief and rehabilitation

- 9.1 A lot of resentment is generated on account of non-payment of timely relief/ex-gratia to the riot victims. A system of expeditious disbursement of the relief should, therefore, be devised. Interim relief may be provided immediately to the individuals for any loss or damage suffered due to communal violence.
- 9.2 While providing assistance and relief to the victims of communal violence, it should be ensured that there is no discrimination on the ground of sex, caste, community, descent or religion.
- 9.3 The district administration should ensure timely provision of essential supplies/services such as food, milk, medicines, water and electricity, etc., in areas affected by communal violence.
- 9.4 Wherever it becomes necessary to set up relief camps, proper arrangements for security and other appropriate amenities should be made, including arrangements for medical examination/ assistance, etc.

9.5 Wherever required, on account of damage to residential and commercial property, an appropriate mechanism may be established for speedy disposal of insurance claim and assistance from financial institutions by way of loans/ re-scheduling of loans, etc.

9.6 The Central Government has launched a Central Scheme for assistance to victims of terrorist and communal violence, whereunder there is provision for one time payment of Rs.3 lakh to the affected families in addition to any ex-gratia relief that may be provided. Proper arrangements for implementation of the scheme may be ensured.



Madhukar Gupta

D.O.No.11034/18(A)/06-NI.I(Pt.)

HOME SECRETARY

Government of India

North Block

New Delhi.

23 June 2008

Dear Chief Secretary,

Guidelines to promote Communal Harmony had been conveyed to the State Governments through the then Union Home Minister's D.O. letter no. 9/42/96-CHC dated 22.10.1997. Keeping in view the past experience, new and emerging challenges, developments in technology, etc., it was felt that the guidelines need to be reviewed. The related issues have also been discussed, from time to time, in Conferences/Meetings of Chief Ministers and Chief Secretaries/Directors General of Police, National Integration Council, etc. Based on these, revised Guidelines on Communal Harmony have been formulated, and a copy of the same is enclosed herewith.

2. It has been amply demonstrated in the past that, if due vigilance is maintained, careful planning done and preparatory measures put in place, many possible incidents of communal

violence can be pre-empted and prevented; and, wherever, despite this, communal violence does occur, it can be contained effectively, and much human suffering avoided, if it is tackled with promptness, grit and determination. Further, it needs hardly be emphasized that the utmost care and attention requires to be given to the planning and implementation of a range of measures to alleviate the sufferings of those affected by any incidents of communal violence, including the provision of relief and rehabilitation assistance to the victims of such violence.

3. It is with this in mind, that a variety of actions and institutional arrangements have been suggested in the Guidelines, which would need to be implemented at various levels from the Police Stations to the State Government level. I am sure you would agree that, if due and systematic attention is given to these at various levels, we would be able to go a long way towards meeting our common goal and objective of reducing the possibilities and incidence of tensions, and, frequently, even petty and minor incidents, erupting into communal clashes and violence; and, if some unfortunate incidents were, nevertheless, to occur, in providing the necessary sense of security and confidence, scour and healing touch to those who may get affected.

4. The Guidelines are only illustrative, and there will always be scope for further initiatives and creative interventions and measures. It is requested that the Guidelines may be got

communicated and circulated to all concerned with appropriate directions and instructions. Your personal attention, and periodic review at your level, will go a long way in ensuring the operational effectiveness of, and achieving the larger goal of Communal Harmony, underlying these guidelines.

5. It is requested that this letter may also be put up to the Hon'ble Chief Minister.

With regards,

Yours sincerely

(Madhukar Gupta)

Chief Secretaries of all States / UT Administrations.

Encl: As above.