

**High Courts of Karnataka and Andhra Pradesh****One man Commission****Justice B.K.Somasekhara Commission of Inquiry****Presents****FINAL REPORT****CHURCHWISE FINDINGS****BELGAUM DISTRICT****Mount Carmel Church in Jade Galli of Shahpur**

1. Police have satisfied that they have taken all necessary steps to protect the Church and its members and to prevent recurrence of any such incident.
2. The procedure followed in treating the complaint as a mere Miscellaneous Petition is totally improper and illegal. The Commission is totally not convinced about a procedure of treating such cases as Miscellaneous Petitions by Police and feels that it is a flagrant violation of established law. Since the matter should be taken as pending finality, the S.P of the District should personally take care to pursue the same as per law and convince the informants and the Govt., in this regard or else to face disciplinary consequences in Service Law. If the Govt. issues proper directions to the S.P of Belgaum District to submit a final report in this regard perhaps the lapses in similar matters in other Districts will be rectified now and future also. The Commission feels that there is a patent lapse of allowing such unbridled discretions to the Police Officers to mismanage such matters against the interest of the public and for personal interests and expects the Govt. to deal with the situation with stringent measures.

**BANGALORE DISTRICT:****Saint James Church – Mariyannapalya, Bangalore City**

1. The attack is true both on Church and Sri Adi Kaveri Trust of Chittiappa .
2. Zealot activities of Christians of the area to Christianize the area and resistance by the members of Sri Adi Kaveri Trust and local Hindus are the reasons for the attack.
3. Negligence of Christians of the Church responsible.

4. The Church persons did not co-operate with Police for preventing attack.
5. Mr, Sangliana, a former Police chief of Karnataka and presently claiming to be a leader of Christians and turned Politician immediately after retirement interfered with the Amrithahalli Police to take appropriate action whenever complained by local Hindus but without success .
6. The local Police gave all necessary protection to the Church and its people and took immediate action and prevented further problems in the locality.
7. BBMP authorities have kept quiet instead of solving the problems.
8. Naming the area may be expedited based on the merits in consultation with people of all sections and genuine leaders.
9. There appears to be grabbing of public property by both church people and Sri. Chittiappa's group which require a serious inquiry and appropriate action by BBMP and Govt.
10. Govt. and Corporation should take legal steps to remove all encroachments and illegal fixing of crosses and illegal constructions in Kalvari Betta area and Kaveri Badavane.
11. All problems in the area are very sensitive and to be handled carefully and tactfully with the co-operation of local population, Religious leaders and political leaders of the area however as per law and not sparing anybody ultimately.
12. Christians in brute majority in the area and Hindus in hopeless minority to be treated equally.
13. Harmony and cordiality between two groups to be brought about by sincere efforts by all wise and noble people.
14. There is no evidence of fraudulent or compulsory conversions in the area and by the persons of the Church.
15. Special Police protection to be continued whenever required or approached for some more time more or till steps are taken to solve the serious local problems.
16. Politicization of the incident of attack by self styled leaders is clearly indicated in the area to be totally avoided.
17. Bhajarangadal /Sangha pariwar/BJP/Govt have no role in the attack or problems. It is a pure a local problem misused during the period of attacks in other Districts of Karnataka by political busy bodies probably to demoralize the ruling party and the Govt.
18. The Church should provide its own security and Co-operate with the local police for its protection and approach Police for any relief if necessary.

### **Holy Name of Jesus Church- Rajrajeshwarinagar**

- a). The attack on the Church as alleged is true and a sporadic attack by a passerby or to create evidence by some mischief maker to support the attack in other Districts like Dakshina Kannada and may be to create circumstances against the ruling Government of BJP at the relevant time.

- b). The Police Constable Sri.Prakash has done his duty properly to be totally exonerated of allegations.
- c). District Administration/Police have done their best and there is no failure on their part in dealing with the matter.
- d). Sangha Pariwar/Bhajrangadal/Hindus not involved to any extent in the incident.
- d). BJP/ Government has absolutely no role in the attack.
- f). There are indications of corruption in Corporation. The Commissioner should uniformly regularise any irregularity in licensing etc regarding constructions and specially this Church subject to relevant rules or bylaws or laws and initiate action against all or any officers or officials of Corporation responsible for any violations in such matters.
- g). Interference by Mr.Sangliana a former Senior Police Officer and a former M.P. of Karnataka with local Police administration appears to be true and probable. But in spite of it the police have acted independently.
- h). Normal protection to the Church and persons of the Church to continue like any other religious places, but the Police should take immediate action if any complaint is made in any form.
- i). The Church to provide its own watch and ward for its protection with intimation to Police.
- j). There are instances of attempted conversions with inducements and by degrading Hindu religion and its practices by certain Christian Preachers from this area. But there is no proof of fraudulent or compulsory conversions by anybody from this Church or at their instance.
- k). The District administration and the District Police may call for any relevant information to provide general or special protection to the Church and if necessary a circular or G.O. may be issued in this regard with wide publicity to apply to all such religious places of all religions.
- l). The Church may claim any reimbursement for the repairs of the Grotto or replacement of the statue before the Dy.Commissioner, Bangalore urban who shall determine personally on proof by following formal procedure under S.33 of the Karnataka land Revenue Act 1964 and the relevant Rules like a Civil case for compensation with no delegation to any other officer.

### **St. Anthony New Church (Santha Anthoniyavara Devalaya) Yedavanahalli**

1. This is a clear case of fire mischief in the Church amounting to vandalism.
2. Such a mischief must have been planned and executed by some external agency and Police officers on guard either co-operating with culprits or being indifferent and negligent. The main culprits in this regard appears to be, 1. Father Santhosh (CW.42) , 2. David -46 and his men detailed in the report, 3. Two police constables Sri B.M.Nagaraj (C.W 112) and Sri B.P.Nagendra Kumar( CW.113) on duty.
3. The Incident is a make believe one to connect other similar incidents of attack in Karnataka..
4. It is not done by Sangha Pariwar /Hindus. Etc..
5. Local Athibele Police did their best after the fire incident.

6. COD Police totally failed in their investigation to locate the culprits and spoilt the best opportunities to bring home the guilty persons- Entrusting the case to them was a total waste and counter productive..
6. Compensation to be paid to the Church to the extent of Rs.6,00,000/- and 50% of any amount exceeding it after an Inquiry by the D.C. However if any amount is already paid it may be deducted out of the total amount to be paid.
8. 50% of the Compensation may be recovered from C.W.42 -Father Santhosh by the D.C after an Inquiry by Reverend Father Moras with a report to D.C Bangalore.
9. The case may be investigated by an Intelligent and efficient Police Officer of high repute specially to be deputed to expose culprits.
10. BJP/Govt totally innocent and has nothing to do with the incident to any extent.
11. Two police constables found to be negligent during the incident may be suspended immediately and disciplinary action may be taken against them as per their rules, and may be prosecuted as per law with intimation to the Govt and to be widely published.
12. Action to be taken against the officers of COD Police investigating into the case of Fire Mischief for dereliction of duty.
13. Concerned Senior Officers examined in the Inquiry may be warned/cautioned for failure to take action against the two negligent Police Officers with wide publicity.
14. The general recommendations made ultimately for all incidents may be followed.

## **BELLARY DISTRICT**

### **“Bethseda Prayer Fellowship” Kottur**

1. The incident of attack on the Prayer hall on 7<sup>th</sup> September 2008 is true
2. Actually there is no prayer hall in the true sense of the term. But prayers conducted by the Pastor Rajashekhar for Hindus and others were disturbed by the persons opposed to such activities and the District administration, with the impression that conversion activities were going on there under the guise of conducting prayers. Pastor Rajashekhar has given impressions to Hindus and the District Administration that he did his activities in an unauthorized construction on a site yet to be granted as per law, without permission from the authorities and by misusing the funds got for adult education from the Govt in the District and allegations of conversions were found to be true in strong circumstances of his conduct.
3. The persons opposed to the activities of Pastor Jayaprakash attacked the Prayer Hall and devotees as alleged. No particular person or Organization is proved to be involved in the attack.
4. The District Administration and the Police had to interfere in the event for avoiding further trouble to the Prayer hall and to the devotees.
5. The District Administration and Police gave all the protection to the Petitioner Pastor Jayaprakash and his people and devotees as required and there is no lapse on them to any extent
6. Pastor Jayaprakash and Pastors like him in the District and elsewhere have totally commercialized the religion by misusing the Christianity's fair name and by misusing the Govt. funds meant for Adult

Education or from some illegitimate sources. Actually there is no religious activities of Christianity nor the Pastor knows anything about Christian religion or its activities.

7. The allegations against attackers is general and not against Hindus or Hindu outfits .
8. Guilty – Jayaprakash. Stop the grant first to association and education.
9. BJP/Ruling party Govt have no role to play in the attacks.
10. Grant of a site to construct the Church by Pastor Jayaprakash is false and appears to be manipulated action in Collusion with Panchayath Secretary and middlemen. Revenue Officer have not taken care. Deputy Commissioner failed to enquire into site affairs . Indication of corruption by panchayath Secretary/middle man probable.
11. Arrange for census of Christians and Churches to separate genuine Christians and false Christians, so that the list of minorities can be published for giving legal protection to them as per COI and law.
12. Activities of Jayaprakash, Pastor to be watched by a special squad of Police and appropriate action to be taken.
13. Religious groups in the district should be clearly identified for general or special protection.

### **Chikkaballapur District**

1. The allegation of attack on this church is true.
2. The church building and its materials were damaged during the attack.
3. The attack is by the miscreants opposed to the activities of the Petitioner in the Church and incidentally resulting in change of faith by Hindus attending the prayers.
4. There are clear indications of attempted conversions by the Petitioner by external funding for inducements to innocent and poor sections of society.
5. The persons changing their faith to Christianity have continued to have privileges of SC/ST Hindus.
6. The District Administration and the Police have taken appropriate steps regarding the Church and the persons including the required protection.
7. The investigation into the incident of attack by the local Police, the immediate steps taken by the local people in regard to the incident was satisfactory but the investigation into the incident of attack by the COD is not satisfactory and their submitting 'C' report is not suitably explained.

8. The Commission expects the continuation of the investigation by the independent Investigating Officer of known repute and efficiency.
9. The Petitioner who is already paid the compensation of Rs.1,500/- and not satisfied may lay a claim before the Deputy Commissioner, Chikkaballapur with supporting materials and an enquiry shall be held to assess the compensation and to arrange the payment at the earliest deducting any amount already paid.
10. The Government may enquire and withdraw the privileges to every persons who is indulging or getting converted in such illegal activities of conversions commercially.
11. Use of illegal funds from illegal sources for conversion including the foreign funds may not be improbable.
12. The activities of the Petitioner in the Church and outside appears  
to be commercial in nature more than the religious activities.
13. The District Administration and the Police should watch the activities of the Petitioner and take appropriate action against him according to law.
14. The Government may issue a Circular to the District Administration to insist on a declaration from persons like petitioner and others belonging to a particular religion before granting any privileges including the financial assistance. The Government may also ensure that in case of false declaration such privileges shall be withdrawn by the District Administration.

## **Kolar District**

### **St. Mary's Church, Kolar**

1. The allegation of attack on the Church is true. It looked sporadic act initially, but later found to be mischievous and deliberate.
2. The allegations of conversions of Hindus to Christianity are true by certain modus operandi adopted as alleged but not the ground for attack.
3. The attack was not by any Hindu organizations like Bajrangdal.
4. The attack is a deliberate attempt to create evidence or circumstance to connect other events of attacks on Churches at the relevant time in Karnataka totally stage managed by local persons or group or local Political force to demoralize or demolish the ruling BJP Govt at the relevant time.
5. The District Administration and Police acted with all concern and promptitude in dealing with the incident including providing protection and reimbursing the loss of damages partly and recommending payment of additional compensation by the Govt. The District Administration and specially Mr Srinivasa, the then Deputy Commissioner of Kolar and Police deserve compliments for such immediate actions and for bringing back peace and harmony fast.

6. The investigation into the incident by the local Police commenced well and ended ineffective and futile due to fear of exposing some local vested interest or Political force(Party) opposed to ruling BJP Govt. or due to certain local forces to suppress the truth.
7. The COD Officers put an end to the truth by submitting a belated "C" Report to the Court to avoid the expected problems to certain persons or parties.
8. The incident requires further investigation by an independent and effective investigating agency like CBI with a time frame.
9. Neither ruling BJP Govt. nor Bajrangdal/Sangh Pariwar had any hand in the attack directly or indirectly.
10. The balance of compensation Rs.199,838, recommended by the D.C to the Govt. should be paid forthwith since pending long.
11. The Govt. may hold inquiry into the lapses of Police Officers mentioned in the report and take appropriate action against them as per law.

## **Davanagere District**

### **Anagodu Church, Davanagere**

1. The allegation of attack on the Church/Prayer Hall is true and the attack is on the sentiments of devotees and the obstructions to their prayers therein is true.
2. The attackers are the Fundamentalist miscreants of the persons opposed to Christian faith and practices.
3. The allegation of attack by Sanghpariwar or Sreeramasene is not established except with such impressions due to their understanding of the conduct of attackers particularly in view of attacks on other Churches.
4. There is no failure on the part of District Administration or the Police in giving timely protection and necessary action on intimation. They deserve compliments.
5. The Interim Arrangement in the order dt. 17/12/2008 to continue subject to the Petitioner complying with the prescribed conditions and cooperating with them by following legal requirement.
6. The D.A and the Police to provide all protection to the Petitioner and devotees whenever approached or intimated as per law.
7. The D.A and Police shall identify the Organizations/miscreants and take appropriate action against them as per law.

### **DHM PRARTHANA MANDIRA – NITTUVALLI.**

1. The allegations of attack on the Prayer hall are true to the extent stated above.
2. The attack was by angered Hindus in general and about 10 to 15 persons of Hindu Jagarana Vedike workers in particular with the impression given by the Pastor Rajashekhar that he was indulging in conversion of Hindus under the guise of holding prayers.
3. The locking of the Prayer hall and preventing the holding of prayers with the participant devotees by the Police and the Corporation Authorities supported by the District Administration were totally unjustified.
4. Pastor Rajashekhar was harassed by the District Administration and the Corporation authorities regarding his property and construction without basis.
5. The concerned Police had no intimation or expectation that the Prayer Hall in question will be attacked as alleged.
6. The Police gave sufficient and appropriate protection to the Prayer Hall after the incident.
7. The Police have taken sufficient steps to investigate and prosecute the attackers.
8. There is no role of Govt. or ruling party BJP or Sangha Pariwar or Bajrangdal in the Attack

directly or indirectly.

9. Pastor Rajashekhar and devotees may lay a claim for compensation for any loss or damage to the Prayer hall or their sentiments due to attack before the Dy Commissioner who shall hold inquiry , asses the compensation and arrange for payments at the earliest.
10. The activities of Pastor Rajashekhar and funding for the same shall be watched and regulated by the District Administration as per law and on lines suggested in the interim arrangement dt 17/12/2008
11. The Govt. may issue appropriate directions to the District Administration including Police and Corporation Authorities to act as recommended above.

### **ETERNAL LIFE CHURCH - Nittuvalli:**

1. The alleged attack on this Church or Prayer Hall as per the allegations of the petitioner is true.
2. Persons belonging to Hindu Jagarana Vedike and some Sections of Hindus were responsible for such attacks and specially the following persons viz., Sriyuths Rajashekhar, D. Basavaraj Gubbi, Deepak Kanade, Manikanta, Manjunath Shetty, Raghavendra, Prakash, Mukundappa along with Sri Sardar Sevalal Swamiji and other members of Hindu Jagarana Vedike.
3. There is no involvement of other Sections of Sangha Pariwar which is generally referred to in the evidence. The Commission is not able to believe that either Bhajarangadal or Sangha Pariwar were indulging in such activities.
4. There is nothing on record to indicate that either the Govt. or petitioner indirectly had anything to do with such attack or the participation through the agencies of the Govt. like Corporation, Revenue Department or the Police people. But one thing certain which is appearing to the Commission is that the incidents have occurred in the background of totality of the series of attack which occurred in Karnataka especially in the District of Dakshina Kannada and other Districts almost simultaneously. The said incident relating to this Church may be one of such tremors used or rather misused by certain sections of Hindu religion calling themselves as belonging to Hindu Jagarana Vedike. There is no material on record to believe that there is really any such organization called as Hindu Jagarana Vedike which may be a self styled extremist attitudinal group among such miscreants.
5. The District Administration Revenue Authorities including the Deputy Commissioner and his subordinate Officers in the District and the Corporation Authorities, especially the Commissioner acted unreasonably, cruelly and illegally . But the S.P and his men did their best to deal with the matter appropriately and carefully, but inevitably under the influence of the District Administration

### **Parishuddha Prarthanalaya, Davanagere**

1. The alleged attack on this Church or Prayer Hall as per the allegations of the petitioner is true.
2. There is nothing on record to indicate that either the Govt. or Ruling Party BJP directly or indirectly had anything to do with such attack or the participation through the agencies of the Govt. like Corporation, Revenue Department or the Police people
3. The concerned Police and Grama Panchayath persons acted unreasonably, cruelly and illegally with wrong understanding of the law and the purpose of their functions and with imprudence coupled with ignorance of the consequences. But the S.P and the Police in general did their best to deal with the matter appropriately and carefully, but inevitably under the influence of the District Administration.

**Jesu Prayer Hall, Shivakumara Layout, Davanagere**

Dream Dare Win

1. The alleged attack on this Church or Prayer Hall as per the allegations of the petitioner is true.
2. Certain persons claiming to be the members of Hindu Jagarana Vedike are responsible for such attacks. They are identified to be the nine persons by the Petitioner Mr.Dencil regarding whom the Police registered a Criminal case very late although complained immediately according to the Petitioner.
3. The Police were helpless and did not either prevent or protect the Petitioner and the persons in the Church regarding the attacks.
4. The District Administration and the Corporation Commissioner were unreasonable, biased and negligent in dealing with the matter. Their conduct is clearly repugnant to Article 25 of the Constitution of India.
5. Resorting to S.107 proceedings liberally has unnecessarily interfered with the fundamental rights of the petitioner and other worshippers in this Church or Prayer hall.
6. There is nothing on record to indicate that either the Govt. or Ruling Party BJP had anything to do with such attack directly or indirectly or the participation through the agencies of the Govt. like Corporation, Revenue Department or the Police people.
7. The District Administration may take any action against such activities of the Petitioner, but only as per law and not arbitrarily like the present ways.
8. The Police should prosecute all the culprits as for religious offences and specially nine persons identified by the Petitioner
9. The Govt. may issue directions to the District Administration and the Police and Corporation authorities to deal with the matter as required under law and if necessary arrange for Departmental Inquiry against all the persons responsible for the injustice done to the petitioner and others.

**Full Gospel Assembly, Harapanahalli**

1. The allegation of attack on this prayer Hall is true.
2. The attackers are the members of Sangh Pariwar identified by the Petitioner Rajashekhar as five persons detailed by him.
3. The District Administration has taken proper care of the incident of attack and to give adequate protection to the Church and the devotees.
4. There are indications of attempted conversion by Pastor Rajashekhar under the guise of holding prayers attracting Hindus.
5. The activities of Pastor Rajashekhar requires to be checked by the District Administration.

6. The Govt. or the ruling party BJP has no role in the attack. It was part of other attacks in the State.
7. The Police should complete investigation into the Complaints of the Pastor and prosecute the miscreants according to law at the earliest.
8. If Pastor Rajashekhar has suffered any damage or loss due to such attack he may lay claim before the Dy. Commissioner, Davanagere who shall inquire and assess and arrange for payments at the earliest.
9. District Administration should take all care to protect the interests of the minorities as per law.

### **Parivarthana Prarthana Mandira, Harapanahalli**

1. There is no attack on this Prayer Hall in the sense like other Churches/Prayer Halls. But in the aftermath of attacks in the District this Prayer Hall was also affected and the Petitioner and his men might have been indirectly troubled
2. The Police and some persons of Hindu religion prevented the Petitioners from holding prayers which was not justified.
3. The Village Panchayath is delaying disposal of application of the Petitioner for grant of License for prayer hall.
4. The Govt. may direct the Deputy Commissioner, Davanagere to issue orders to his Officers and the Grama Panchayath to expedite the reliefs to the Petitioners as per law and protect their interests subject the limitations of Art 25 of the Constitution of India and other laws., but not to prevent holding of prayers under technical grounds.
5. No person or organization is identified as troubling the Petitioners and particularly there is nothing against the Govt/BJP ruling party/Bajrangdal/Sangha Parivar/Hindu Jgarana Vedike
6. The District Administration and the Police to protect the interests of the Petitioners and other devotees of this prayer hall whenever approached and as per law.

### **Yesu Kripalaya, Jakkalli Villegge , Channagiri Taluk**

1. The issue of notices by the Police and the Grama Panchayath, Somalapura to the Petitioner as per Ex.C. (HM) 233 and 234 to stop prayers amounts to attack on the Church in law and should be withdrawn immediately. The concerned Officers /Officials should be warned in this regard in writing that any repetition would be dealt with seriously.
2. The Police and District Administration should arrange for opening the Church if not opened in spite of the directions of the Commission and the Hon'ble High Court and if already opened to protect the rights of the devotees to offer prayers. The arrangement dt 17/12/2008 provided for this should be maintained .
3. The authorities to dispose of the applications of the Petitioner and the devotees Dt. 10/11/2003 and of 2004 for grant of some space for their activities on merits expeditiously.
4. There is no failure of District Administration or Police in giving protection so far but the protection should

be given promptly if approached

5. The Govt. may communicate these recommendations to the District Administration, Grama Panchayath, Somalapura and Police immediately.

### **Ressurrection God's Ministries Trust,(Malebennur) Harihara Taluk:**

- 1). The attack on this Prayer Hall continuously including burning of temporary shed on his land during his absence as alleged by the Petitioner is true.
- 2). The local Grama Panchayath Chairman and members and Executive Officer at the relevant time supported by the local Police were responsible for the attack and harassment meted to the Petitioner.
- 3). The Grama Panchayath members, Tahsildar Harihar, Revenue Officers of Harihar taluk and local Police were responsible for unjustly disconnecting electricity through the Officers and staff of local BESCOM to his residence for over an year putting the Petitioner and the members of his family to untold miseries and harassment. The District Administration was totally indifferent towards the representations of the petitioner regarding the same.
- 4). The local Officers, specially, the Grama Panchyath persons of Malebennur were totally hostile to the Petitioner and his claims with the ground that he was indulging in conversions.
- 5). The Executive Officers of Grama Panchayath and the Appellate authority deliberately did not change the Khatha of the Property in the name of the Petitioner on lame grounds not known in law or on facts.
- 6). The Appellate Authority adopted a totally strange procedure in dealing with the appeal of the Petitioner regarding change of Khatha either due to ignorance or due to hostility towards him or due to the influence of some extraneous agency in the District Administration. He does not deserve to hold any independent or responsible post at least for five to ten years nor to be considered for any service benefit till he is properly trained and examined by some competent authority outside his department ( and if possible through an agency like Lokayuktha). He deserves some punishment for the misconduct after a departmental Inquiry under CCA Rules with suspension pending inquiry.
- 7). The local Revenue Officers deserve the same treatment as indicated in finding 6 above with departmental inquiry with suspension and may not be given any independent charge at least for five years in the Revenue Department or elsewhere.
- 8). The only Revenue Officer to be complimented is Smt.Janaki, the Asst Commissioner, Harihar who dealt with the violent conduct of Malebennur persons by appropriate actions but not regarding the legal proceedings as per law. She may be deputed for intensive training in law at least for two years in a reputed training centre like ATI Mysore or elsewhere.
- 9). The D.A and Officers and Police who are found to be hostile to the Petitioner should tender written apology to the Petitioner and the D.A should undertake to rectify all defects and provide deserving remedies to the petitioner as per law within a fixed time frame not exceeding six months

from the date of intimation by the Govt.

10). The Petitioner should be adequately compensated in money for all the miseries he suffered from the D.A and local Officers on laying a claim before the Dy. Commissioner, Davanagere who shall assess it by following a formal procedure indicated above under LR Act and arrange for payment to the Petitioner soon.

11). The local Police should protect the Petitioner as against any local outfits called by any name and protect him as and when approached by him.

12). The Govt. may regulate the activities of the Petitioner to be transparent and as per law and public interest within the meaning of Art 25 of the Constitution of India and check his funds by proper audit and taxing method. The Petitioner should cooperate with the concerned officers in this regard and disclose all the information necessary for the purpose.

### **Yesu Kripalaya (AiÉÄÄ,ÄÄ PÀÈYÁ@AiÄÄ) - Bada**

1. The attack on the church or the Prayer Hall as alleged by the Petitioner Mr.Lukas and others is true.
2. The persons responsible for the attack are (1) Basappa (2) Kenchaveerappa (3) Basavannagouda (4) Mallikarjuna (5) Giridas (6) M.D.Suresh (7) Prabhakara (8) Rudresh (9) B.G.Kumara (10) Gurushanthappa (11) Veeresh.
3. The building of the church or the Prayer Hall was extensively damaged due to the attack and the loss due to the damage must be at least Rs.65,000 to Rs.70,000/-.
4. The Petitioner Mr.Lukas or any person on behalf of the church or the Prayer hall may lay a claim before the Deputy Commissioner, Davanagere who shall hold a formal enquiry, assess the compensation and arrange for the payment at the earliest.
5. The Government in consultation with the District Administration may arrange for appointment of a special public prosecutor to conduct the case in the Criminal court against the miscreants and monitor the progress.
6. The local Police shall continue to protect the interest of the church and the devotees as and when approached.
7. The District Administration may check and watch the activities of the petitioner Mr.Lukas in the Church including the financial management and also the alleged conversions and take appropriate action against him according to law if necessary.
8. The Commission compliments Smt.Latha, the PSI who has done the best work in regard to complaint, investigation and filing of charge sheet in the case. She may be issued an appreciation letter or a merit certificate.

### **Chikkamagaluru District**

#### **Jagadeeshwara Devalaya(Kalasa) and**

#### **Carmel Mathe Davalaya(Kuduremukha)**

1. The allegation of attack on the two Churches is true

2. The miscreants were not known, but suspected to be the workers of Bajrangdal lead by Mr.

Mahendra Kumar or enraged local Hindus due to the activities against Hindus and of conversions by the petitioners of these Churches.

3. The Churches and the items therein were damaged during the attack.
4. The damages to Carmel Mathe Devalaya are got repaired by Kudremukh authorities.
5. Compensation for damages for both the Churches may be paid on the Petitioners laying claims supported by materials before the Dy. Commissioner, Chikkamagaluru who shall hold an inquiry, assess the compensation, arrange for payment at the earliest deducting any amount already paid or spent for repairs by the Govt.
6. The Police shall pursue investigation to identify the accused and to prosecute them as per law.
7. The District Administration have done their duty promptly and properly by giving protection and taking immediate action when intimated or known. They deserve compliments.

### **Christian Believers Prayer Hall (Vantaramakki)**

1. The allegation of attack on the Church and devotees is true.
2. The Police prevented further attacks by taking immediate action.
3. A big crowd of miscreants (The persons Prosecuted by the Police and other absconding persons –Vide Items 8 to 20 of Annexure-L) with Yogish Raje Urs, and Nariguddenahalli Ranganath suspected to be the workers of Bajrangdal lead by Mr. Mahendra Kumar or enraged local Hindus due to the activities against Hindus and of conversions by the petitioners of the Church and due to local rivalries of two groups of Christians and Hindus lead by Mr.Mahendra Kumar and Mr.Colaso were responsible for the attacks.
4. The attacks were well planned but none informed the police in advance to prevent the attacks.
5. The allegation of conversions by the local Christians lead by Mr.Colaco appears to be true and probable.
6. The Police shall pursue investigation to identify the absconding accused and to prosecute them as per law.
7. The District Administration have done their duty promptly and properly by giving protection and taking immediate action when intimated or known. They deserve compliments.

### **Protestant Prarthana Mandira ( Jayapura)**

1. The allegation of attack on the Church and devotees is true.
2. The attackers are the 10 persons and others prosecuted by the Police in Cr.No158/2008 before the concerned Court. (Item 10 of Annexure-L)
3. The attacks were well planned but none informed the police in advance to prevent the attacks.
4. The allegation of conversions by the local Christians lead by Mr.Colaco appears to be true and probable.
5. The District Administration have done their duty promptly and properly by giving protection and taking immediate action when intimated or known. They deserve compliments.
6. As per general findings regarding the District

## **UDUPI DISTRICT**

### **ST.CECILY'S CONVENT, UDUPI**

Observations shall be the findings regarding this Institution and nothing more.

The Govt. may issue directions to the District Administration to inquire into the allegations of the Petitioners and take appropriate action as per law with a report to the Govt. within a reasonable period.

**CARMELITE ASHRAM, Kundapur**

Dream Dare Win

1. The incident of attack on this Institution as alleged is true.
2. The miscreants attacking are the persons prosecuted by the Police in Courts which should take a decision after trial as per law.
3. The involvement of Bajrangdal/BJP/State Govt. in such an attack is doubtful and appears to be general impressions regarding all such attacks in Dakshina Kannad and other Districts
4. The allegations of conversions by this Institution and the Churches in Udupi District are true.
5. The District Administration and the Police have done their best regarding the incident of this Church including the payment of immediate compensation and they deserve compliments.
6. The concerned persons of this Institution may lay a claim for additional compensation before the Dy. Commissioner, Udupi who shall hold an inquiry, assess compensation and arrange for payment at the earliest.
7. The Govt. may issue appropriate directions to the District administration and the Police to take necessary action in the light of the observations made in this report.

**Life and Light Ministries Church, Shiroor:**

1. The allegations of attack on the Church, on the Petitioner Mr.Abraham, on the building of the Church is true.
2. The attackers are the 11 and others persons prosecuted by the Police after an investigation of Cr.162/2008 of Byndur Police Station. Police shall pursue the efforts to find the other accused and include them in the prosecution.
3. The involvement of workers of Bajrangdal lead by Mr.Mahendra Kumar, the convener of Bajrangdal is probable and appears to be true.
4. The allegations of conversions by the Petitioner Mr,Abraham, his men and their maligning of Hindu religion, Hindu Gods, and traditions enraging local Hindus are very much true. The District administration should take care to check and act as per law against him and his activities of conversions and anti activities against Hindu Religion.
5. The allegation of involvement of the Govt. or ruling party BJP or any other Sangha Pariwar is baseless.
6. The building of the Church and the Vehicle of the Petitioner were damaged due to the attack and to be compensated on laying a claim by the Petitioner Mr.Abraham before the Dy. Commissioner, Udupi deducting the amount already paid
7. The District Administration and the Police deserve compliments for timely action on the complaint of the Petitioner, for compensation paid immediately and for the completion of investigation and prosecuting the miscreants speedily.

**NEW LIFE FELLOWSHIP, UDUPI**

1. The incident of attack on the prayer hall and the devotees as alleged is true.
2. The damages to the prayer hall due to attack as alleged is true. It shall be reimbursed to the Petitioner Pastor Gopinathan on his laying a claim before the Dy. Commissioner who shall inquire, assess and pay the compensation deducting any amount already paid
3. The attackers are the persons alleged and prosecuted by the police in addition to others who may be absconding to be apprehended and included in the prosecution as per law.

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4. Bajrangdal workers among the attackers appears to be probable due to impressions prevailing at the relevant time, but the concerned Court will decide about it during the trial.
5. The alleged activities of conversions of Pastor Gopinathan under the guise of attracting Hindus for prayers appears to be probable and true.
6. The motive for attack is not conversions but internal disputes due to the activities of pastor Gopinathan in the Prayer Hall affecting the business and comforts of other business shops in Krishna Krupa Complex.
7. The concerned Police have taken appropriate action regarding the incident and the protection to the Prayer hall and the devotees and deserve compliments.
8. The District administration has done well in dealing with the situation arising out of the incident and deserves compliments.
9. The Police should watch the activities of Pastor Gopinathan regarding conversions and disturbance to other business shops in the complex and take action as per law against all concerned.
10. Neither the Govt. nor the ruling BJP had any role in such attacks and such allegations against them appears to be politically motivated.

### **DAKSHINA KANNADA DISTRICT**

#### **Assemblies of God's Church, at Nettana in Puthur.**

1. The attack on this Church and on the Petitioner and the devotees as alleged is true.
2. The persons involved in the attack are the Accused in the Charge Sheet before the Court as per Ex.C.394-A and may be others which the concerned Court will have to find out and punish as per law.
3. Neither Sangh Pariwar in general nor Bhajrangdal have anything to do with the attack as a motive for alleged conversion of Hindus to Christianity.
4. Possibility of the Petitioner attempting conversions under the guise of holding prayers in the Church may not be ruled out which the Police and District Administration should watch and take care to avoid future attacks.
5. The involvement of the Govt. or the Ruling BJP Party in the attack directly or indirectly is totally ruled out.
6. The Govt. should regulate the financial and other activities of the Petitioner regarding this Church through proper inquiry as per law, but should ensure all protection for religious activities as per Art 25 of the Constitution of India and prevent further attacks on any ground .
7. The loss due to damages to the Church and the items has to be compensated in addition to medical expenses to the Petitioner and others on laying a proper claim before the D.C, Mangalore who should inquire as per law in a quasi judicial procedure under Land Revenue Act and arrange for payment soon.

#### **Believers Church of India.**

1. The allegations of attack on the Churches and the persons connected with the Churches are true.
2. The Churches and their materials are damaged due to the attack
3. The miscreants attacking the Churches are 1.Dinesh Kumar, 2.Umesh, 3.Santhosh Kumar 4. Rajesh and 5.Mohan Das alias Kumar as per the Investigation and prosecution regarding which the concerned Court

has to hold a trial and find out. However, this Commission has no material to fix the identity and will accept the prima facie material of the Police investigation and the charge sheet.

4. The District Administration and the Police have not failed in their duty either to protect the Churches or to take appropriate action regarding the attack and especially the concerned Police officers have done their best regarding the same.
5. There is nothing either alleged or established against the Govt. the ruling BJP, the Sangha Pariwar or any persons directly or indirectly in the attack except the five accused according to the Police Investigation.
6. The loss or damage to the Churches shall be reimbursed for the petitioner laying the claim before the D.C , Dakshina Kannada who shall hold an enquiry, as per law , fix the amount of compensation and arrange for payment at the earliest.

### **Blessing Assembly of God Prayer Fellowship, Kulur, Mangalore Taluk:**

1. The allegation of attack on the Prayer hall and the Petitioner is true.
2. The attackers are the members of Hindu Samaj and specifically the absconding Accused who are Prosecuted by the Police based on the complaint and the investigation. Kavur Police should pursue the efforts to nab the accused and produce before the Court soon for trial.
3. There is no allegation or proof of involvement of Bajarangadal /Sangha Parivar or the Govt. directly or indirectly.
4. . The Properties of the Church are damaged as claimed by the Petitioner and detailed in the Panchanama Dt.14/09/2008 which is valued therein at Rs.45000 to 50000/-.
5. The Petitioner and the two Police Constables Sri.Ravi Kumar-P.C 2176, and Sri Sadananda Gowda-P.C.1758 were injured during the attack by the accused.
6. The Kavur Police and specially the two constables have done their best in dealing with the matter even at the cost of injuring themselves.
7. There is no failure of the D.A or the Police in dealing with this incident of attack.
8. The Petitioner /Prayer hall should be reimbursed the loss due to damages due to attack at least to the extent of Rs.45000/- to 50000/- already estimated by the Police. The Petitioner may lay a claim for the balance of loss if any with supporting materials before the Dy. Commissioner, Dakshina Kannada who shall hold a formal inquiry, assess the actual loss and arrange for payment at the earliest, deducting any payment if made already.
9. The two constable shall also be entitled to be compensated for the suffering due to injuries sustained by them during attack and the Dy. Commissioner, Dakshina Kannada shall assess and arrange for payment to them at the earliest They shall be issued merit certificate for the good work done by them.
10. The protection shall be extended to the Prayer hall and the Petitioner and his men whenever approached.

### **Canara Organisation for Development and Peace:**

No specific finding recorded. The Police and District Administration will take care and protect the interests of this Organization generally and specially whenever approached in difficulties.

### **CSI Christ Church, Mangalore**

1. The allegations of attack on the Church is true.
2. The Church and its materials are extensively damaged due to the attack worth at least Rs..35000/-.
3. The culprits attacking the Church are 10 persons arrayed as accused in the Charge sheet which the Court

shall try and find out the truth and punish them if convicted. However, this Commission has no material to fix the identity and will accept the prima facie material of the Police investigation and the charge sheet.

4. The District Administration and the Police have not failed in their duty either to protect the Church or to take appropriate action regarding the attack and specially the concerned Police officers have done their best regarding the same. In fact the P.C on duty Mr.Mascarenhas was injured due to the attack while trying to catch the attackers
5. There is nothing either alleged or established against the Govt. the ruling BJP, the Sangha Pariwar or any persons directly or indirectly involved in the attack except the ten accused according to the Police Investigation.
6. The loss or damage to the Church shall be reimbursed for the petitioner on laying the claim before the D.C , Dakshina Kannada who shall hold an enquiry, as per law , fix the amount of compensation and arrange for payment at the earliest. The Police Constable,PC.No.449 Mr. Mascarenhas should also be compensated for the injury suffered by him while on duty during attack on laying a claim before the Dy Commissioner.
7. The concerned Police Officers are to be complimented for the good work done regarding this church. Certificate of Appreciation may be issued by the Govt. to them.

### **Bondel Church,**

#### **St.Lawrence Church, Bondel**

1. The clash between Hindus and Christians about their assertions regarding encroachment on Kursu gudde and the attack is true.
2. The rights and possession over Kursu gudde is pending under S. 145 of Cr.P.C. before the District Magistrate who has either disposed of or dealing with it in a manner expected under law. However the land regarding Kursu gudde belongs to the Govt. and neither Christians of Bondel Church nor the workers of Bajrangdal have any semblance of right over the said land and Gudde. The Govt. shall take appropriate action against all concerned in the encroachment on the said Gudde/Hillock as per law . But any aggrieved or interested person shall be entitled to get relief in that regard before any forum or court. The Govt. may also regularize the possession or right in favour of any genuine party or group under Akrama Sakrama Yojane. Till then the District Administration shall maintain status quo by passing appropriate orders as per law.
3. The concerned police of Kovur and specially C.W 60 and his team have done their best regarding the incidents arising out of agitations of Christians of Bondel Church and rival groups of Hindus and Christians trying or asserting their rights on Kursu gudde at the relevant time.
4. The allegations of conversions by this Church or its people has no basis.
5. The Govt. in the meantime should not allow this controversy for political gains by any political forces.

### **Janadhawani People's Union for Civil Liberties , Mangalore**

#### **PUCL, Mangalore-**

1. The conduct of Petitioner Mr.Melvil Pinto, CW(HM)2 in Petitions(P.9/2008) of Janadhawani PUCL

matter reflects his cynical, cryptic and vilifying attitude against the Govt./Ruling BJP/Top Officers in the District Administration and specially certain persons said to be or may be opposed to Christian minorities. Already the proceedings initiated under the provisions of Goondas Act against him disclose his virulent activities, contempt for public administration. He appears to think of a parallel Govt. with the advise of certain unconstitutional persons with improprieties in their action. His objection and expressions noted in the report require some serious criminal action against him as per law.

2. The Commission strongly recommends that the Govt./District Administration/Police to take some serious action against the Petitioner Mr.Melvil Pinto for his blasphemous expressions against them.
3. The Proceedings initiated or pending against Mr.Melvil Pinto under Goondas Act may be pursued.
4. The Govt. may pass some legislation to curb such activities of persons like Mr.Melvil Pinto which are likely to demoralize the public interest and Public Administration.
5. The Commission Office shall issue Show Cause Notice to Mr.Melvil Pinto as to why he should not be prosecuted under Section 10-C of the Commission of Inquiry Act or under the Provisions of any other law for the time being in force, however subject to Article 19 and 20 of the Constitution of India. The Government may pursue this after the Commission becomes Functus Officio.
6. If Mr.Melvil Pinto files any written unconditional apology in reply to show cause notice for such conduct and expressions no action against him shall be pursued.
7. The District Administration/Police shall hold an inquiry as to how used tear gas shells were treated after using them in Mangalore Police action at the relevant time and as to how they were available for person like Mr.Melvil Pinto to be photographed or depended upon as evidence before the Commission in writing in this regard. All the concerned Police Officers may be admonished for such lapses observed in the report.
8. The Government may check and insist proper management of ammunitions in the Districts including Tear Gas Shells by the S.P. with periodical check by DGP/ADGP of the District.
9. If any rules or procedures are already existing all the concerned Police Officers may be punished for violating them and impress upon all the concerned to follow the procedures strictly with the District heads to be made responsible for the same.

### **Jesus Christ Church in India, Shakthi Nagar, Mangalore**

1. The attack on the Church and the damages to the Church and valuable materials of the Church as alleged is true.
2. The attackers are the eight accused in the Charge Sheet Ex.C.708(d) ,filed in Cr.No.185/2008 of Mangalore Rural Police Station before JMFC 3<sup>rd</sup> Court , Mangalore. But to show that they are the workers of Bhajrangdal there is no material.
3. The Govt. /BJP is not implicated in the attack to any extent
4. The Petitioner Mr.David to be compensated by the Govt. if he lays a claim with evidence to be looked into by the D.C, Dakshina Kannada after a formal inquiry as per law.
5. The Police should give protection to the Petitioner as and when required.

6. The complaints of conversions in this Church by the Petitioner Mr.Chandrasekhar C.W.385, shall be dealt with as per law by the concerned Police with all seriousness.

### **Kapitanio High School, Mangalore**

1. The concerned Police should also prevent such incidents by giving necessary protection to the school and its students and nab the miscreants who may be responsible for such incidents.
2. The Commission also expects the Police to seize all such objectionable materials, stop further circulation and initiate action against all concerned persons responsible for distribution as per law immediately. .
3. The District Administration should inquire into such allegations of the Petitioner and provide appropriate relief to her and her school.

The Govt. may issue appropriate directions to the District administration and Police in this regard.

### **Kodikal Tamil Church, Mangalore.**

1. This is a clear case of attack on the Church and its sacred and valuable materials.
2. The Police took immediate steps to register a case, investigated and filed Charge Sheet in to JMFC Court .
3. The persons responsible for the attack are the accused in the case filed against ten persons in Crime NO 120/2008 ( Vide Page 42 in Ex.C.1375).
4. The concerned Police shall pursue the matter to apprehend the absconding accused and arrange for prosecuting them with personal interest. The Police shall give protection to the Church and its members whenever approached. Special Public Prosecutor may be appointed to conduct the Criminal case.
5. The concerned Police deserve compliments and the Govt. may issue written certificates of appreciation to them
6. The Church persons may file a claim for compensation for the losses to the Church due to attack on the Church and the injured Police may file the claim before the Dy. Commissioner who shall hold inquiry, asses the damages and compensation and arrange for payment at the earliest.

### **Karnataka Missions Network, Mangalore:**

The observations in the report of the Commission may be treated as the findings regarding this Network.

### **Adoration Monastery, Mangalore.**

1. Attack on the Monastery and the sentiments of Christian religion and Christians as alleged is true.
2. The attack was on the two nuns and two injured eye witnesses physically, mentally and sentimentally.
3. The nature and extent of the attack is colossal and difficult to assess.

4. The extent of damages to the Church and the items therein already assessed by the Police and the Expert varies between Rs.19,000- 50,000/-. The claim of compensation of the Authorities of the Church at Rs.3,00,000/- or more if any has to be assessed by the Deputy Commissioner , Mangalore on laying a positive claim by the concerned persons and to be arranged for payment.
5. The injured persons during attack as above may lay a claim for compensation before the Dy. Commissioner, D.K District who shall hold an inquiry and asses the compensation and arrange for payment at the earliest.
6. The attackers or miscreants are said to be the aggrieved Hindus due to conversions by Christians and maligning Hindus and Hindu religion however to be decided ultimately. The prosecution against the culprits shall be pursued with all seriousness by the Govt. by appointing special Public Prosecutor.
7. The Govt. should sympathize with the Christian sentiments due to attack in any form including writing.
8. The Police have not failed to protect the Church whenever required, but shall continue to watch and protect with special attention particularly whenever required or approached.
9. The Govt./Ruling BJP Party, the local Cabinet rank ministers have no involvement directly or indirectly in the attacks.

### **Milagres Church, Managalore**

1. This was an incident of continuation of the incident of attack on Adoration Monastery in the morning on 14<sup>th</sup> of September 2008.
2. There was no actual attack either on Milagres Church or on the Christians by any Organistion like Sangha Pariwar, Bajarangadal etc.

3. It was an incident of protest by the aggrieved Christians on 14-9-2008 due to the attack on Adoration Monastery in front of Milagres Church and near Adoration Monastery.
4. The Police were to act with some force to prevent the loss of life or public property and to maintain law and order inevitably by resorting the lathi charge and bursting of the tear gas shells.
5. There is no basis for the allegations that the Police acted excessively in exercising of their duties in such a situation.
6. The result of the Police action did not harm or injure any participants in the protest due to the lathi charge or bursting of tear gas shells.
7. On the other hand during the incident of protest by unruly mob due to pelting of stones, at least 15-20 Police Officers were injured.
8. Barring the impression of the protestors that either Bajarangadal workers pelted stones on them or that they along with the Police Officers pelted stones on them appears to be beyond any basis and not supported by any evidence.
9. The Police were to deal with a very big and mammoth crowd comprising of the Christian protestors exceeding 5000, other religion people and the onlookers only to maintain law and order and at the cost of suffering injuries by themselves.
10. There is not even a slightest circumstance to believe that either the Government or the Ruling Party BJP or any political leaders were behind such incident. But, on the other hand, it is in the evidence that provocative speeches by political leaders present at that time, specially Congress leaders, aggravated the situation.
11. The materials are sufficient to hold that the District Administration including the Deputy Commissioner, the Superintendent of Police and Senior Police Officers took personal interest in dealing with the situation and prevented more serious consequences of harm to the protestors or the members of the public or loss of life or public property.

12. The patience and the prudence of the leadership of Mr.Satish Kumar, Superintendent of Police, the inevitable miseries due to firing which could have been resorted in similar situations was totally avoided and he and his team were complimented by local Christian leaders.
13. The Commission is of the considered opinion that there was no excess action by the Police at the relevant time in the Milagres Church incident.
14. Possibly in the process of inevitable Police action some innocent protestors or others might have been victimized or affected and they may be compensated suitably by the District Administration as a benevolent gesture in a welfare state if a claim is laid with supporting materials before the Deputy Commissioner, Dakshina Kannada who shall assess and arrange for payment at the earliest. The injured Police Officers during the incident shall also be compensated accordingly by following the same procedure.

### **B.C.Road( Raktheshwari Temple) incident, Bantwal**

1. The incident of protest on B.C.Road by Christian protestors in view of the attack on Churches is true.
2. Such protest was initially intended to be peaceful but turned emotional and violent.
3. There was a clash between the Christian protestors and certain persons called as Bajarangadal workers and others with the aggravating situation calling upon the police to act appropriately. The police were justified in using the force to control the situation and to maintain law and order.
4. Certain persons among the protestors and others including the police were injured during the incident..
5. Participation of certain persons identified as wearing Kesari shawl or raising slogans gave an understanding to the protestors that they were Bajarangadal workers. Such impression appears to be reasonable and probable.
6. The District Administration and the police have not failed in their duty to deal with the matter.
7. The police in spite of very little strength of 5-10 Police officers were able to control the situation with all sincerity and efficiency.
8. The injured persons including the Police may lay a claim before the Deputy Commissioner, Mangalore for compensation due to any injuries suffered by them with supporting materials regarding which formal enquiry shall be conducted, compensation shall be assessed and paid to the victims.
9. Deserving Police officers participating in action shall be commended by issuing Certificate of appreciation.
10. Such a process should be expedited and completed at the earliest possible time.
11. The Govt. may issue appropriate directions to the District administration and the Police for information and implementation.

### **St. Joseph's Church ,Bajpe:**

1. There is no incident of attack either on the Church or on the protestors of this Church by the Police due to their use of force.
2. Several persons among the protestors and the Police were injured during the incident.

3. The use of the police force against the protestors to maintain law and order was not excessive and was reasonable and necessary.
4. There is no involvement of either the Govt. or ruling party BJP or any persons on their behalf regarding this incident.
5. The injured Christian protestors and Police Officers during the incident shall be compensated by laying a claim by them which shall be inquired by the Deputy Commissioner, Dakshina Kannada by following the formal procedure by assessing the compensation and arranging for payment at the earliest.

### **Lady Hill Pompi Church, Surathkal**

The observations in the report shall be treated as the findings of the Commission on this Church.

### **Lady of Mercy Church, Fazeeru ( Bantwal)**

The observations in the report shall be treated as the findings of the Commission on this Church.

### **Mandyathar Mahima Prarthana Mandira, Belthangadi**

1. The allegation of attack on the Church or the Prayer Hall and the injury to a devotee Mr.Pascal is true.
2. The persons involved in the attack are said to be the members belonging to Bajrangdal which has to be found out by the Police during the investigation of the complaint of the Petitioner. However, the impression of the Petitioner that such persons attacked the Church may be well founded but has to be fixed by the Police.
3. The items in the Church were damaged as alleged by the Petitioner and the loss is said to be Rs.32,000/- to Rs.35,000/- as a whole which has to be enquired and fixed on laying a claim by the Petitioner before the Deputy Commissioner to arrange the payment.
4. The concerned Police shall take all the interest to find out the culprits and arrange for their prosecution according to law.
5. The concerned Police shall give all the protection to the Church and the Petitioner as and when approached.
6. The District Administration may verify whether there was any special reason for the miscreants to attack this Church. The contention of Mr.Adiga, the learned Advocate for Hindu Memorialists is that because of the conversions carried out by the persons like the Petitioner such incidents have occurred requires to be verified by the District Administration and to take appropriate action against such persons according to law.

### **Meramajalu Church, Mangalore**

The observations in the report shall be treated as the findings of the Commission on this Church.

### **Holy Cross Church-Kulashekhara**

1. The offended and provoked Christians had gathered in the Church to protest peacefully against the attacks on Adoration Monastery and other Churches and not for usual or special prayers.

2. The allegations of Police excesses in the Church Premises are true.
3. The Resort to bursting of Tear Gas Shells and Lathi Charge by the Police on the protestors in the Church premises was not justified and excessive.
4. The entry of Police into the premises of the Church was without following legal requirements and amounts to violation of religious interests and human rights protected under the Constitution of India. But it was not motivated or influenced by any other force or organization as alleged. At any rate it was an imprudent, unreasonable and inexperienced act.
5. The little Christian gathering of 200 to 300 for protest in the Church became big, violent and uncontrollable after the mob from outside entered the Church premises along with the Police became mixed up and uncontrollable.
6. The impression of the protestors that workers of Bajrangdal were with the Police and colluded with them during the action has no basis but may be probable and true in view of the admissions of Mr Mahendra Kumar that Bajrangdal workers attacked all the Churches or Prayer halls in the State of Karnataka, but not certain.
7. The allegation that the Govt./ BJP/ and local BJP legislators and local Cabinet Ministers were behind the attackers has no basis and an imagination due to the zealous and excess action of the Police and due to impressions prevailing at the relevant time that such reasons may be responsible for the attack.
8. The Police action injured many protestors unjustifiably and scared them and made them feel that they were unprotected by the District administration and the Local Police,.
9. The presence or absence of women Police during Police action is irrelevant and may be not possible always, but still there were some women Police present at that time.
10. The Tear Gas Shells used were patently time barred but still effective and served the purpose of controlling the mob to maintain law and order and there was no adverse effect on the protestors or the Police due to its use.
11. The protestors were justified in their conduct of violence due to the attacks on Adoration Monastery and number of Churches.
12. Police were also equally agitated due to continuous incidents of attacks and the protests by Christians and others for over two days and might have been biased and agitated to act powerfully.
13. Lot of injustice has happened to Christian Protestors and innocent persons present in the Church at the relevant time.
14. There was no attack on the Church, but the attack on the sentiments.
15. In spite of being excessive in their action the Police were restrained in not resorting to firing which could have been normally justified in such situations admittedly and Mr. Satish Kumar and his Police team should be complimented in this regard.

16. Damages if any to the Church or injured persons during the incident shall be compensated if a suitable claim is laid with supporting materials before the Deputy Commissioner, Mangalore who should hold a formal inquiry, assess the compensation and arrange payment at the earliest.

17. The District Administration and the Police should identify the miscreants or its organization and initiate action to punish them as per law.

### **St. Joseph Church, Vamanjuru.**

1. The alleged incident of protest in this Church is true.
2. The Christian protestors in front of the Church became violent during protests affecting the peace and public tranquility which was likely to result in damage to public property and danger to public peace.
3. The Police had to use force to maintain law and order and to protect public peace and property.
4. There was no excess force used by the Police against the protestors.
5. Few protestors and Police might have been injured due to the incident and lathi Charge by the Police.
6. The use of TGS had its real effect of bringing the violent crowd under control with no proof of affecting the health of protestors or the Police.
7. The presence of workers of Bajrangdal along with the Police in their action is doubtful and improbable and a phantom of impression or imagination of Protestors due to the similar circumstances prevailing at the relevant time.
8. If anybody including the Police are injured they may lay a claim for compensation before the Dy. Commissioner, Mangalore who shall hold an inquiry, assess the compensation and arrange for payment to such claimants at the earliest. The Govt. shall issue appropriate directions to the District Administration in this regard.

### **St. Sebastian Church, Permanur**

1. The incident of protest by the Christians in the Church was true and genuine.
2. The attack by the Police and some youths projecting as workers of Bajrangdal on the innocent peaceful Christian protestors is true.
3. The Police action against the Church and the Protestors was excessive and unreasonable. They have violated the expected norms prescribed in Police Manual
4. The Police violated the Christian sentiments by entering into the Church and meddling with sacred items and moving on the sacred areas and unnecessarily damaging the portions of Church building by hitting with the butts of the guns.
5. Many Christian protestors and Police were unnecessarily injured during Police action which could have been avoided at least to some extent.
6. There was negligence in not providing medical aid or at least first aid to the injured persons during the incident.
7. The damages to the Church to be compensated on laying claim by the concerned persons before the Dy. Commissioner, Mangalore who shall hold a formal inquiry, assess the same and arrange for payment at the earliest.
8. The Govt. shall initiate action against all the top Police Officers above the rank of PSI, who participated in the Police action directly and indirectly for use of excessive force and negligence.

9. Whoever is responsible for such failures shall be admonished

openly to the information of the members of the Public through press and media

### **New Life Church, Mangalore**

1. The allegations of conversion or attempted conversions by persons belonging to this Church appears to be true and probable.
2. There was no justification for anyone to meddle with the Christian sentiments or their activities on the ground of such conversions except to tackle the matter according to law.
3. The matter relating to Kursu gudde which is pending before the Deputy Commissioner, Mangalore shall be dealt with according to law and till then the status quo should be maintained by all the concerned persons including the Petitioners and the Police shall take all precautions to prevent any one from grabbing the Government land under the guise of religious sentiments or religious activities.
4. The concerned Police shall pursue all criminal proceedings against any miscreants relating to the incident of such conversion and encroachment of Government land like Kursu gudde in Pachanady village.
5. All protection to Bondel Church legal activities shall be provided by the Police as and when approached.
6. The Govt. land in Khursu Gudde should be guarded by the Police and District Administration against any more encroachment by anybody except to regulate any genuine activities of any religion without violating law and order and legal norms.
7. The Govt. or BJP had no role to play in such events by two religions except to act as per law through the concerned authorities and Police.
8. The Police have done their best to maintain law order during such events and in protecting the Govt. property in Khursu Gudde as against all forces justifiably.

**Shree Vittobha Rukmaee Mandira, Thokkotu**

1. The Commission records a finding that there must be a truth in the allegations made by the Petitioner in Petition No.173/2008 regarding the alleged attack on Vittobha Rukmaee Mandira hoping that the concerned police officer of the District will take care of the matter according to law the Commission records its impression of the same as above. In the context the Commission is convinced that the Hindu temple was attacked by the mob in retaliation or as a counter attack.
2. This Commission having assessed the totality of the materials produced is of the considered opinion that this Church and Vittobha Rukmaee Mandira are attacked by the protestors and counter protestors, that such attacks offended the sentiments of the Christian protestors and also the Hindu members who had gathered in the temple.
3. It is true that when the situation went beyond the control, the police have taken all the necessary action to bring back the normalcy within the shortest time possible. As already pointed out the good conduct of the petitioners was also one of the reason for easy control. It is complimentary that S.P. and his Police team was capable of bringing back the normalcy within the shortest time in a situation where they were confronted with rivalry conduct of Christian protestors and Hindu zealot and other mob misusing the situation to compel the Police to act normally if not indiscriminately.

**Padua Composite PU College, Mangalore**

1. The allegation of attack on this Institution is true.
2. The allegation of attack on the Petitioner Mr.Micheal Santhamayur and the injury to him is also true.
3. Number of items belonging to this Institution were damaged during the attack.
4. The persons involved in the attack cannot be fixed by the Commission for want of material evidence. However it is for the Police to find out and arrange for prosecuting them according to law.
5. The Petitioner shall be paid the compensation after he lays a claim before the Deputy Commissioner, Mangalore who shall hold an enquiry and assess the compensation and arrange for payment.
6. The Police shall pursue the investigation on the complaint of the Petitioner.

**Pentecostal Church of Lord, Ujire**

Dream Dare Win

1. The allegation of attack on the Church and the Petitioner and others is true.
2. The injuries suffered by the Petitioner and other devotees of the Church due to attack and the medical treatment they took as stated is true.
3. The miscreants are the 9 persons who are prosecuted by the Police on the Complaint of the Petitioner and there may be others also whom the Police may search and include in the Prosecution.
4. Police and the District administration have taken all care and concern regarding the incident of this church and they deserve compliments.
5. Neither Bajrangdal, the Govt. nor the BJP ruling Party had anything to do with the attack on this Church or persons and the whole event is politicized by the Petitioner as an afterthought to join others in such allegations.
6. The Petitioner Sri.Christu Das is already paid the compensation of Rs.8510/- for the loss to the Church and his Medical expenses. He and the devotees if suffering may lay a claim before the Dy. Commissioner for the balance of compensation if any supported by evidence which shall be inquired, determined and paid deducting the balance of amount already paid.

**Rhema Workshop Centre, Zoe Ministries, Mangalore**

The definite inferences in the report may be treated as findings regarding this Centre.

**Prayer Hall, Hosabettu, Mangalore**

1. The allegation of attack on the Prayer Hall as alleged by the Petitioner is true.
2. The allegation of damages to the articles of the Prayer Hall and the assault on the wife of the Petitioner as alleged is true.
3. The attackers are the 10 persons identified by the Police during the investigation and mentioned in the charge sheet filed before the Court (Details are found at Sl.No.98 of Annexure-L). The allegation of involvement of Bajrangdal workers has no basis.
4. The Petitioner is paid the Compensation of Rs.10,620/- by the District Administration. Since he is not satisfied with the amount he may lay a claim before the Deputy Commissioner, Dakshina Kannada with supported materials who shall hold an enquiry assess the compensation and arrange for the payment at the earliest.
5. The concerned Police and the District Administration have discharged their duties promptly and effectively including protection and relief given to the Petitioner and they deserve compliments.

**Sacred Heart of Jesus Church, Bantawal**

1. The allegation of attack on the Church and the damage to the Grotto is true.
2. The ground of attack is the alleged activities of conversions in the Church. But no instances of conversions alleged or proved.
3. The miscreants are the four accused who are prosecuted by the concerned Police. Whether they are the workers of Bajrangadal or not there is no sufficient evidence to fix, but it is an issue which may be decided by the Court in the prosecution.
4. The concerned Police have taken immediate and appropriate action after the incident and deserve compliments.
5. The persons concerned about this Church may lay a claim for compensation if so desired for the damages due to the attack before the Dy. Commissioner, Mangalore who shall inquire, assess and arrange for payment at the earliest.

**St.George Church, Ujire(Belthangadi)**

The observations in the report shall be treated as the findings of the Commission on this Church.

**St.Francis Xavier Church, Moorje (Bantwal)**

The observations in the report shall be treated as the findings of the Commission on this Church.

**Rosa Mistika High School, Mangalore**

The observations in the report shall be treated as the findings of the Commission on this Church.