



HATE CRIMES IN INDIA

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ABSTRACT

A hate crime can be a rationale crime that happens once a wrongdoer attack a victim because of their alliance in a specific race. It is also known as a bias crime. These are the examples of sex, ethnicity, disability, language, position, physical look, religion, personal identity, or sexual orientation. Hate crimes are criminal acts forced by biases towards particular groups of individuals. Hate crimes do not simply affect people from a particular group.

Purpose: This paper investigates the types of hate crimes prevailing in India, throws light upon some of the major hate crimes that have happened recently, and highlights the key challenges that India faces or might face while tackling hate crime.

Methodology: All the research is done on secondary data. The research is based on all the information available on the internet in various forms i.e. articles, case studies, case laws, data representations, etc.

Findings: The rapid increase in hate crime in recent years. The challenges India faces due increase in hate crimes. How will it affect the growth of India as a nation?

Research Limitations: The study is conducted at a particular period it may vary afterward. The data available was insufficient

as many of these crimes are not reported in our country.

1. Introduction

A hate crime can be a rationale crime that happens once a wrongdoer attack a victim because of their alliance in a specific race. It is also known as a bias crime. These are the examples of sex, ethnicity, disability, language, position, physical look, religion, personal identity, or sexual orientation. Hate crimes are criminal acts forced by biases towards particular groups of individuals. Hate crimes do not simply affect people from a particular group.

To be thought of an abhor wrongdoing, the offense should meet two models: beginning, the demonstration ought to speak to an offense underneath criminal law; second, the demonstration ought to be incited by inclination. Predisposition inspirations might be commonly illustrated as make by mental act negative sentiments, regular suspicions, bigotry, or despise coordinated to a chosen group that shares a run of the mill trademark, similar to race, ethnicity, language, religion, position, sexual direction, sex, or the other essential trademark. People with handicaps may likewise be survivors of loathe violations. Loathe violations will grasp dangers, property hurt, attack, murder, or the other criminal offense carried out with a predisposition inspiration. Loathe wrongdoings don't exclusively influence individuals from explicit groups. People or property essentially identified with – or possibly appeared to be an individual from – a gaggle that shares an ensured trademark, similar to human rights safeguards, public venues, or spots of love, can even be focuses of abhor violations.



Despise has consistently been a piece of our nation. India was never liberated from loathe wrongdoings. History of our nation gives plentiful models like Demolition of Babri Masjid, Sikh mobs – 1984, Gujarat riots 2002, and so on. Indeed, even today nothing has changed loathe wrongdoings are expanding step by step. We have seen significant instances of detest wrongdoing in 2019 and 2020 because of the execution of the Citizenship Amendment Act. In February this year, significant mobs occurred in Northeast Delhi among Hindus and Muslims as Delhi Riots – 2020. The battle between religions is very regular in our nation. None of the legislatures found a way to destroy this issue. This has been one of the significant downsides for the improvement of India. Indeed, even the young people are getting affected and partaking in these uproars. Our general public ought to be where anybody can live openly with no dread. Detest wrongdoings are taking our province in reverse. There is a dread of life according to the minorities. Abhor wrongdoings are chiefly done to show the force one has. There no such explanation behind the horde to execute a blameless. If somebody has defied any norms, at that point there is an administration to give him discipline. Group effectively gets impacted by anybody. In-nation differing like us the principle thought process ought to be to live joyfully without a dread of life.

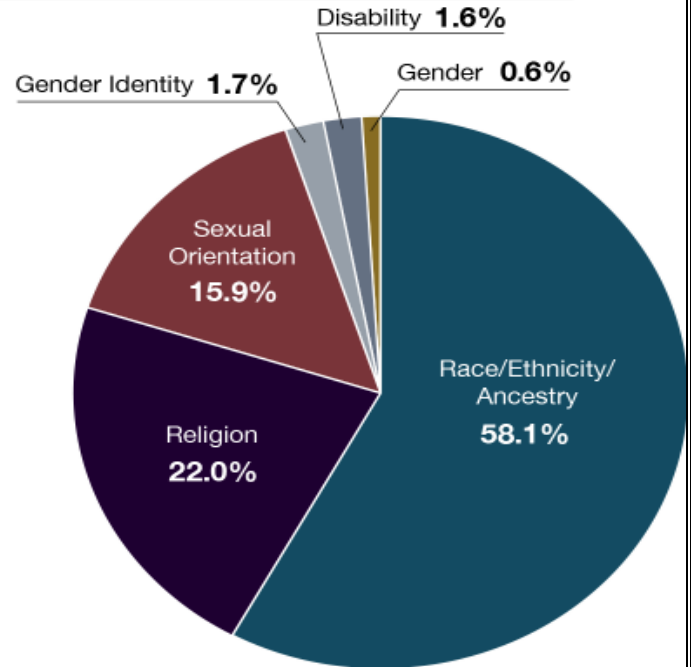


Fig 1: Hate crime done against various group ¹

2. Literature Review

A literature review might be a book of an academic paper, which has the current information including meaningful discoveries, other than as hypothetical and methodological commitments to a particular theme. Writing audits are auxiliary sources, and don't report new or unique exploratory work. Most much of the time identified with scholarly situated writing, such audits are found in scholastic diaries and don't appear to be mistaken for book surveys which will likewise show up inside a similar distribution. A thin extension writing audit could likewise be incorporated as a piece of a companion checked on diary article introducing new research, serving to arrange the current investigation inside the body of

¹ [https://www.justice.gov/sites/default/files/styles/widht_h_5/public/fieldable-panel-panes/basic-](https://www.justice.gov/sites/default/files/styles/widht_h_5/public/fieldable-panel-panes/basic-panes/images/2018/11/15/pie-chart_776-2x.png?itok=fli2RPAv)

[panes/images/2018/11/15/pie-chart_776-2x.png?itok=fli2RPAv](https://www.justice.gov/sites/default/files/styles/widht_h_5/public/fieldable-panel-panes/basic-panes/images/2018/11/15/pie-chart_776-2x.png?itok=fli2RPAv)



the pertinent writing, and to create a setting for the peruser. An investigation of existing writing uncovers that there are a few sorts of loathe wrongdoings and more than one motivation to carry out these violations.

RITU DHANOA (2008) - In her paper "Infringement of young ladies human rights in India" she recognized that albeit equivalent rights are guaranteed to the two men and young ladies by the constitution of India yet there's an enormous hole between the law and its training. The women in India consistently are viewed as substandard compared to men. Albeit a large portion of the populace is established by the women still she is oppressed and faces infringement in each circle of life. They're the survivor of changed wrongdoings like assault, share, lady consuming, attack, prostitution, and dealing. The administration is finding a way to build up the state of young ladies in India and asserting ladies in India are getting a charge out of equivalent status with a man however the women in India are influenced by the Past and face different sorts of bad form and separation even today. Segregation turns into a component and part of a ladies' life. She faces various types of separation in different phases of life. The scene of separation begins when she entered the mother's belly inside the sort of sex – assurance tests bringing about feticide and female child murder. In certain circumstances, she is being slaughtered by her kin with whom she should have a sense of safety and safe in the event that she includes the planet. This exhibits the refusal of the privilege to a lifetime of ladies. Besides Child marriage, Dowry badgering and lady of the hour consuming, Rape, power, and so forth are the state of savagery she looked in her life.

Unicef (2000) - In its working paper titled "Aggressive behavior at home AGAINST WOMEN AND GIRLS" talked about the worldwide weight of abusive behavior at home and its suggestion over the ladies and feature how the ladies face different types of separation in her life. Brutality against ladies is considered as a worldwide pandemic by which the casualty ladies face physical, mental, and sexual maltreatment and even torment and demise. Because of this infringement ladies are denied of uniformity, security, pride, self-esteem, and their entitlement to appreciate major opportunities. Each nation a few of the other type of viciousness is winning over the globe. Savagery wins over the way of life, class, training, salary, ethnicity, and age. Be that as it may, the defenselessness is changing gatherings to gatherings. Ladies have a place with minority gatherings, indigenous and vagrant ladies, exile ladies, and ladies in the contention zone are more defenseless than the others. It is stunning that out of all types of viciousness between 20 – 50 rates of ladies encountering savagery are from the cozy relationship, either from the accomplice or from the relatives. Be that as it may, the extent of the aggressive behavior at home isn't obvious as the greater part of the cases are unreported and unrecorded as the greater part of the ladies are hesitant to report the rate of savagery. The absolute first explanation is the heartlessness of the human services proficient and police experts in reacting to such cases and the subsequent explanation is the dread, and ignorance related to the lawful frameworks.

Smriti Sharma (April 2012) – Violations against the verifiably underestimated Scheduled Castes and Scheduled Tribes (SC/ST) by the upper standings in India



speak to an outrageous kind of preference and separation. during this paper, they examine the impact of changes in relative material ways of life between the SC/ST and upper standings, as estimated by utilization consumptions, on changes inside the frequency of violations against SC/ST. Utilizing official area level wrongdoing information for the sum 2001-10, they find a positive relationship among violations and use of SC/ST opposite the upper standings proposing that an augmenting of the hole between bunches is identified with an abatement in rank based violations. Besides, this impact is by all accounts driven by the upper positions' reacting to changes in foundation. The outcomes are vigorous to changes in details and displaying suspicions. **Donald P. Green (July 2014)** - The validity unrest inside the sociologies has put new accentuation to look into plans that give solid proof of circumstances and logical results. The accompanying age of loathe wrongdoing research must move during this plan based course. Their examination surveys late examples of tests and semi analyzes in criminology, legislative issues, and financial matters that give valuable structure layouts to despise wrongdoing specialists. At the indistinguishable time, they alert that propels in configuration should even be amid advances in estimation if analysts are to decide the drawn-out impacts of mediations intended to reduce the opportunity of detest wrongdoing.

Jack Mcdevitt (April 2016) – The entry of the Hate Crime Statistics Act (HCSA) of 1990 ordered that the Attorney General set up a yearly report of abhorring wrongdoings from government and state authorization offices to create a more grounded comprehension of the attributes and greatness

of loathing violations inside the us. It looks at this improvement of this national detest wrongdoing assortment exertion drove by the FBI, furthermore to the information assortment endeavors led by other national and local organizations, and gives a diagram of the chief qualities and impediments with each wellspring of information. Given those difficulties, they give suggestions on systems to support our estimation of abhor wrongdoing and addition a more grounded comprehension of the attributes and commonness of loathe wrongdoing inside us. **Andrew Gladfelter (October 2015)** – Are racially-propelled dislike wrongdoings, non-criminal inclination episodes, and general assortment of wrongdoing identified with the indistinguishable basic components? Assuming this is the case, at that point, social disruption, a powerful auxiliary associate of general wrongdoing, ought to anticipate paces of loathe occurrences. Be that as it may, trial of social complication's consequences for racially-inspired detest wrongdoing yield conflicting outcomes. Their examination utilizes information from the Pennsylvania Human Relations Commission (PHRC) to investigate such irregularities. In particular, they survey the results of social disruption across settings and sorts of inclination inspiration utilizing predisposition occurrences for more than 12 years. The outcomes recommend that (a) social disruption, especially private flimsiness, is vigorously associated with paces of both abhor wrongdoing and other biased direct, which (b) the intuitive impacts of social disorder help clarify varieties in episode rates by inspiration type. In particular, against dark occurrences are generally visit in insecure, homogeneous (for example white) and advantaged networks, while against white



occurrences are generally visited in unsteady, impeded networks.

Eaven Holder (May 2019) - Research on hate wrongdoing has thought about using sociological structures to best clarify the rate of such culpable, yet little research has been directed to see whether political elements may play work. Even though Olzak (1990) addressed the association between racial brutality and outsider governmental issues during the American Progressive time (1882-1914), the examination didn't completely verbalize how political rivalry may impact the commission of abhor wrongdoing. The current examination tries to fill this hole, while likewise stretching out ideas identified with the social complication hypothesis and the shielded network's point of view. It does as such by using a longitudinal research configuration to evaluate the effect of hypothetical indicators and political rivalry gauges on despise wrongdoing commonness in provinces across states.

R. Barry Ruback (January 2018) Although UCR information undercounts most violations, despise wrongdoings are especially underreported, particularly for a couple of gatherings. To start with, they find that the state-office database is generally following the UCR information, as far as total checks, relationships, and indicators. Second, they find that UCR information thinks little of detest crime percentages by a component of about 1.6 generally speaking and by a component of two.5 for rustic zones. Also, even though UCR information on despise violations show a lessening inside the most state-of-the-art 5-year time frame, the state office information show that abhor wrongdoing episode checks haven't dropped. They prompt that utilizing a more extensive

file that has both the UCR and a database like that in Pennsylvania will give a progressively complete image of detest wrongdoing.

Jenny Ardley (1 December 2005) - That article plans to offer a brisk foundation and diagram of this talk encompassing scorn wrongdoing. The creator talks about the challenges of characterizing detest wrongdoing how organizations like the police can deal with the issue. Various qualities and inspirations for the culprits of detest wrongdoing are broke down. The casualties of loathe wrongdoing and individuals from their locale are regularly profoundly tormented by their exploitation, these impacts are portrayed and conceivable approach suggestions talked about.

Donald P. Green, Laurence H. McFalls, and Jennifer K. Smith (August 2001) – Loathe wrongdoing is hard to characterize, measure, and clarify. After summing up some of the main calculated issues and hypothetical points of view, they examine the reasonable troubles identified with information assortment. Even though the examination writing stays little and to a great extent graphic, late investigations have started to relate despise wrongdoing examples to monetary cycles, populace streams, and changes inside the world of politics. The undertaking ahead is to build these investigations into different settings and levels of total.

Objectives of the study

- What are the reasons that are influencing the idea of hate crimes?
- On what basis it is decided that it is a hate crime and not a normal crime?
- What is different from normal crimes because all crimes are done out of hate?



- To be aware of it.
- To know what are aspects that are driving people towards hate crimes?
- Are the victims always from a poor family who are easy to target?
- Is it is mainly based on religion?

3. RESEARCH METHODOLOGY

The research was conducted using exploratory and descriptive styles of research to find answers to the objectives of this study. Recent cases were studied from daily news articles in Economic Times, Times of India, Hindustan Times, In Shorts, and social media platforms such as Twitter and Instagram. More secondary data was collected from previously published research papers, reports, white papers, and cases on the same topic

4. Types of hate crime in India

I. Against Minorities/ Religion

- During riots, a big group of members of the majority religion directs large scale violence against a minority.
Examples of religious riots in India are: -
- Riots during partition of India 1946-47
English government isolated British India into two predominant states for example India and Pakistan. During that time 10–12 million individuals shaped an evacuee emergency in the free states. This caused a contention between the strict gatherings which caused riots. Individuals were encouraged to remain in the living states in they were however because of the contention they began to move towards various states for example Hindus to India and Muslims to Pakistan. There was a real existential danger to individuals. An enormous mass was proceeding onward the two sides to murder anybody having a place with a minority

religion. Hundreds were slaughtered during the parcel. The condition ladies were horrendous. They were treated as the property of men. They were assaulted and executed pitilessly and even recorded. Around 75000 to 100000 ladies were assaulted and slaughtered.

- Gujarat Riots 1969 and 2002

1969- There was a common clash among Hindu and Muslims. It included plundering illegal conflagration, slaughter, and incendiarism for a huge scope. In legitimate figures around individuals slaughtered 660, individuals harmed 1074 and evaluated around 48,000 individuals lost their property. Passings around 2000 were asserted by informal reports. Significant misfortune was endured by the Muslim Community. At the point when the mobs happened Hitendra Desai of Indian National Congress was the Chief Minister. All the contention was begun on eighteenth September 1969, when Hindus sadhus and a sanctuary were assaulted by the Muslims. They assaulted because a cattle owned by the sadhus harmed them. Afterward, Muslim dargah was assaulted by the Hindus and the sanctuary was again assaulted by the Muslims. This caused a significant breakout of savagery. The began in Ahmedabad and later spread to Vadodara, Anand, Nadiad, Mehsana, and Gondal. The mod was leveled out by 26th September 1969.

2002- It was between the common wildness of three days in Gujarat. There was a brutality flare-up for a quarter of a year in the city of Ahmedabad. In the state savagery against Muslim (minority Population) proceeded for a year. There is an examination going on the occurrence of the Burning train in Godhra² on

² Godhra Train Burning Case



27th February 2002. It caused the passing of 58 Hindu pioneers who were coming back from Ayodhya.

- Demolition Babri masjid 1992³

Babri Masjid was a mosque built in Ayodhya. A similar site was the origin of the Hindu god Rama as accepted by Hindus. Since the eighteenth century, it was a prime issue for strife between the Muslims and Hindus. As per engravings of Muslims, it was worked in 1528-29 by a Muslim general Mir Baqi. It was requested by Babur, the Mughal ruler. In 1992 the Hindu Karsevaks assaulted the mosque and pulverized it which prompted the collective clash the nation over. Around 2000 individuals were executed in which the lion's share were Muslims. From August to October 2019, a seat of five Supreme Court makes a decision about heard the question case. The decision was passed on ninth November 2019 by the Supreme Court that expressed to hand over the land to the trust for the structure of the Hindu sanctuary. It was additionally requested to hand over a 5-section of land substitute land to Sunni Waqt Board for the structure of the Mosque.

- Muzaffarnagar riots 2013⁴

There was a communal conflict between the Hindu and Muslim in the locale of Muzaffarnagar, Uttar Pradesh. It occurred from August to September 2013. As per the official records, this brought about passings of 62 individuals which included 42 Muslims and 20 Hindus. 93 individuals were harmed and more than 50,000 were dislodged. The conflict was between the Hindu Jats and Muslims. It began in Shamli and Muzaffarnagar. Around 14 people were captured and bodies of evidence were enlisted against 150 individuals on 21st

August 2013. Everything began with a car crash or by eve-prodding.

- Religious motivated Crime also happens but the difference is that it happens against a family or an individual. In this case, the loss of property and life is much lesser than the riots.

Example of religion-based hate crime against individual/ family are:-

- In 2019, a 24-year-old Muslim man named Tabrez Ansari was beaten by a group of people for apparently being the thief. He was forcefully made to chant 'Jai Shri Ram'. He later died in the hospital. This incident was recorded on 17th June 2019 in Saraikela, Jharkhand.
- In 2017, a boy named Junaid Khan of 16 years was stabbed on a Delhi- Mathura train. He died on the Asoti Railway station, Faridabad. It occurred on 22nd June 2017.
- In 2017, a mob maltreated a 55-year-old cattle trader, Pehlu Khan and his sons. It happened when cattle were transferred to a weekly cattle market in Jaipur. He later died in the hospital. It happened on 1st April 2017 in Alwar, Rajasthan.

II. Against Women

Hate crime against women is very common in our country. It is a form of gender-based violence. It solely happens because she is female. By doing this crime women are forced to be subordinate to men. Common forms of violence are sexual assault, domestic abuse, and murder. These crimes are mainly done by men because of the gender inequalities in our country. As I write this article a crime would be committed towards a woman as it occurs in every 3 minutes in our country. More than 50% of

³ M Siddiq(D) Thr Lrs v. Mahant Suresh Das & ors

⁴ <https://www.bbc.com/news/world-asia-india-24172537>



Indian men believe that the violence happening towards women should be tolerated by them to keep the family happy and that sometimes they deserve to be beaten. Large numbers of cases are unreported due to threats to the victim and the pressure of family honor.

Examples of crime against women are:-

- Dowry Deaths - It refers to the death or suicide of the married women because of harassment for dowry. There is immense pressure on women to bring a dowry with them when they get married. If not so they are harassed and torture by the husband and in-laws. Major cases of dowry deaths occurred in Uttar Pradesh and Bihar.
- Sexual Assault- World's most dangerous country for crime sexual crime against women in India.⁵ One of the most common crimes in India is rape. Criminal Law (Amendment) Act, 2013 defines rape as penile and non-penile penetration in bodily orifices of a woman by a man, without the consent of the woman.⁶ Rape is mostly unreported due to the pressure of the family as it would give shame to the family and the victim. Notable case laws are Uthao rape case, Kathua rape case, 2013 Mumbai gang rape, 2013 Mumbai gang rape.
- Acid Throwing- It is also known as Acid Attack. In this acid is thrown on the victim to with the motive of torture, kill and disfigure. Mostly the victim's face is aimed while throwing the acid. It causes permanent damage to the skin in some cases it also dissolves the bone of the victim. Remarkable cases are Sonali Mukherjee case 2003 and Laxmi Agarwal 2005.

III. Against Disability

People with disabilities are treated differently by other people. At community level violence against them is a serious issue. It is recognized as a crucial problem by the World Health Organization (WHO). Around 50% of people with disabilities are the victim of violence. They are called by different names to worsen their conditions. They deal with all kinds of difficulties in life. People around them make it difficult for them to live a normal life. Even if they are willing to work and earn for themselves they are treated differently. Many organizations have started to employ them. Crime against them has been lesser in the last few years but it has not stopped. A woman with a disability has more difficulties. Society looks at her as a burden and a bundle of responsibility.

IV. Against Foreigners

Every year a lot of foreign people come to visit India to see its rich culture. But these people are not treated nicely in our country. They are looted, catcalled, eve teased, murdered, etc. there are n numbers of crimes that happen towards them. All these crimes are done with the mere motive of hate. the report of the National Crime Record Bureau (NCRB) states that one-third of cases crime against foreigners in India take place in Delhi.⁷

⁵ "The world's most dangerous countries for women". Thomson Reuters Foundation. Archived from the original on 14 March 2019. Retrieved 23 April 2019

⁶ "India: Criminal Law Amendment Bill on Rape Adopted | Global Legal Monitor".

⁷ <https://www.indiatoday.in/mail-today/story/crime-against-tourists-up-in-delhi-1619734-2019-11-17>



5. Recent Cases of Hate Crime

I. Northeast Delhi Riots

The 2020 Delhi uprisings, or North East Delhi riots, were various influxes of gore, property obliteration, and revolting in North East Delhi, starting on 23 February and caused mostly by Hindu hordes assaulting Muslims. Of the 53 individuals slaughtered, 66% were Muslims who were shot, cut with rehashed blows, or assault shoot. The dead additionally incorporated a cop, a usable and over twelve Hindus, who were shot or attacked inside the Indian capital's deadliest Hindu-Muslim mob since 1950. More than every week after the viciousness had finished, many injured were moping in deficiently staffed clinical offices and carcasses were being found in open drains. By mid-March, numerous Muslims had stayed missing. Fights started across India in December 2019 because of the entry of the Citizenship (Amendment) Act (CAA), which permits optimized naturalization for foreigners from Pakistan, Bangladesh, and Afghanistan having a place with 6 religions opposite Hinduism, Sikhism, Christianity, Zoroastrianism, Jainism, and Buddhism. The Act has been viewed as oppressive to Muslims and threatening to their reality in India when joined with the foreseen National Register of Citizens (NRC).

II. 2020 Palghar mob lynching

On 16 April 2020, a vigilante bunch lynched two Hindu Sadhus and their driver in Gadchinchale Village, Palghar District, Maharashtra, India. The episode was filled by WhatsApp gossipy tidbits about criminals working inside the region during the countrywide coronavirus lockdown. The vigilante gathering of residents had mixed up the three travelers as cheats and murdered

them. Police officers who interceded were additionally assaulted; four cops and a senior official were harmed. Starting on 4 May, 115 townspeople are captured by the Maharashtra police on charges of homicide and an examination is continuous. After the episode, bits of gossip were spread to stir strict strain. On 22 April, Maharashtra Home Minister, Anil Deshmukh posted a total rundown of individuals captured, expressing that none of the captured were Muslims. The govt. said that both the aggressors and the casualties were of a similar religion.

6. Hate Crime challenges in India

There are many challenges in India as it is a very diverse country. It has many different religions and castes that cause a root problem of hate crime.

- Unawareness among people regarding hate crime and its preventive measures.
- Underreporting of hate crimes by individuals.
- There is a sudden increase in the number of hate crimes in India in recent years.
- India is a diverse country it is very difficult to supervise all the people.
- India doesn't have any proper laws regarding this issue.
- It is not included in the Indian Penal Code which covers hate speech.

7. Findings and Conclusion

Following results can be drawn from this research:

- Recent trends suggest an enormous growth in the total number of internet users in India and especially in 2020 because of the global pandemic and therefore, changed working patterns.
- An exponential growth in hate crimes in India from 2014 -2019.
- A large amount of hate crime is done based on religion.



- A law regarding hate crime should be included in the Indian penal Code.
- Victims always from poor families who are easy to target.

Our general public ought to be where anybody can live unreservedly with no dread. Hate crimes are taking our area in reverse. There is a dread of life according to the minorities. Hate crime is done to show the force one has. There no such purpose behind the mob to slaughter a blameless. On the off chance that somebody has defied any guidelines, at that point, there is an administration to give him punishment. Group effectively gets impacted by anybody. In a nation various like us the principle intention ought to be to live cheerfully without a dread of life.

8. Limitations of the study and further scope

- The results of this study are important to those readers and researchers who are willing to know the most recent trends and challenges of hate crimes in India.
- The study is directed at a specific period in this manner it can shift on various occasions.
- Further examines might be done at these changing stages to perceive how Hate crime can be halted or diminished later on.
- What are the reasons that are impacting hate crime?
- What is unique concerning typical violations since all wrongdoings are done out of hate?
- Further investigates might be done to make mindfulness among individuals about detest wrongdoing.
- Also, further investigates might be never really individuals in knowing the significance of detailing these wrongdoings.

9. Suggestions

- Spreading awareness among people regarding the possible types of hate crimes

- Making proper law on hate crime and giving severe punishment to the accused.
- Giving guidelines about the security measure that one can take to avoid these crimes.

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