

Submission on India to the UN Special Rapporteur on Freedom of Religion or Belief

24 October 2025

South Asia Justice Campaign ([SAJC](#)) welcomes the opportunity to contribute to the Special Rapporteur's forthcoming report to the Human Rights Council on freedom of religion or belief in relation to death and the honouring of the deceased.

This submission focuses on India, where state authorities and non-state actors have, in a range of contexts, interfered with the ability of religious and belief communities—particularly religious minorities—to perform burial, cremation, and mourning practices in accordance with their convictions. It highlights cases where funeral and burial rites have been obstructed or denied in ways that appear discriminatory, coercive, and incompatible with international human rights standards.

Patterns of violation of FoRB in relation to death and the deceased

Across multiple contexts in India, state authorities and non-state actors have interfered with the ability of minority families and communities to bury, cremate, or mourn their dead in accordance with their religious traditions. These practices have included the withholding or desecration of bodies, coercive or clandestine disposal under state watch, and coercive restrictions on prayers, processions, or communal rites. While the specifics vary, the common feature has been the targeting of marginalised communities and the treatment of the body of the deceased not as a subject of dignity, but as an object of control. Emblematic cases and contexts from recent years include:

- **Coerced burial of Muslim civilians following police shootings in Uttar Pradesh (December 2019):** Since 2017, Uttar Pradesh—India's largest province—has been governed by the Hindu nationalist Bharatiya Janata Party (BJP), under Chief Minister Yogi Adityanath, a hardline Hindu monk. Under Adityanath, the state has seen a marked escalation in violations against Muslims, including extrajudicial killings, mass arbitrary detentions, punitive demolitions, and attacks on religious and community institutions.

In December 2019, at least 23 Muslims were killed by police amid protests against the Citizenship (Amendment) Act (CAA), a law widely criticised for its discriminatory exclusion of Muslims. In multiple districts including Bijnor, Meerut, Muzaffarnagar, and Firozabad, families of those killed reported being forced to bury their relatives hurriedly, under police surveillance or threat, and without access to customary religious rituals such as *janaza* (Islamic funeral prayers), body preparation rites, or the choice of burial location. In several cases¹, police were reported to have directly prevented bodies from being brought home or to ancestral villages, citing vague 'law and order' concerns.

In Muzaffarnagar, for instance, police refused to release the body of Noor Mohammad to his family and instead directed burial at a remote site 40 kilometres from their home, where the family had no ties. A relative who viewed the body after the autopsy recounted: *'No one saw the body. Not even Noor Mohammad's wife. They did not allow us to even bury our dead according to our rites. Great injustice has been done.'* Similarly, in Meerut, all five affected families interviewed alleged similar coercion: hurried, police-supervised burials conducted at night, without community notice or participation.

¹ For more, see '[Everyone Has Been Silenced: Police Excesses Against Anti-CAA Protestors in Uttar Pradesh, and the Post-Violence Reprisal](#)' (Citizens Against Hate, 2020, pg. 69)

- **Coerced cremation of alleged Adivasi Maoists in Chhattisgarh (May 2025):** In Chhattisgarh—a central Indian state with a long-running armed insurgency led by the banned Communist Party of India (Maoist)—security operations have frequently resulted in civilian casualties and allegations of extrajudicial killings. Indigenous Adivasi communities, often accused of insurgent links, have faced severe state repression. As part of a ‘final push’ to ‘eliminate’ the insurgency, Indian forces have [reportedly](#) killed over 500 alleged Maoists—including women, and many credibly alleged to be civilians—since December 2023.

In May 2025, Chhattisgarh Police claimed to have killed 27 Maoist insurgents, including the group’s top commander, in a major operation.² Families of at least five of the deceased, including those from neighbouring states of Andhra Pradesh and Telangana, travelled to Narayanpur district to claim the bodies and perform last rites. Despite presenting identity documents and an order from the Andhra Pradesh High Court directing that the bodies be released after post-mortem, they were reportedly denied access to the bodies. On 27 May, the police are reported to have cremated eight bodies—including that of Nambala Keshava Rao (‘Basavaraju’), the 72-year-old CPI-Maoist general-secretary—at an Adivasi cemetery under police guard. Families were neither consulted nor informed in advance. Officials later claimed the bodies had ‘no clear legal claimants,’ despite the presence of relatives in the vicinity. Families of the deceased were ultimately forced to return home without the remains.

- **Withholding of bodies and denial of funeral rights for alleged militants in Jammu & Kashmir (2020 – present):** Jammu & Kashmir has witnessed decades of armed conflict and intensive militarisation, with persistent allegations—against Indian security forces as well as armed insurgent separatist groups—of extrajudicial killings, enforced disappearances, arbitrary detention and torture, and the discovery of unmarked mass graves. In August 2019, the Indian government revoked the region’s limited constitutional autonomy and imposed direct rule. Since then, civil liberties have further deteriorated, particularly for the Muslim-majority population, with growing restrictions on movement, communication, religious gatherings, and community rituals.

Since April 2020, Indian authorities in Kashmir have implemented a policy of withholding the bodies of alleged in armed encounters and burying them in remote, heavily guarded locations, often without informing or consulting families.³ Officials initially cited COVID-19 precautions but later admitted the aim was to prevent funerals from becoming ‘radicalising’ or ‘glorifying’ events. The result has been a systematic denial of religious burial rights—such as *janaza* prayers, washing and shrouding the body, and burial in family graveyards—for hundreds of families. Over 250 such burials are reported to have taken place between 2020 and 2022 alone.

Family testimonies in media accounts have revealed profound distress. In one case, the family of Junaid Rashid, a 20-year-old from Pulwama district, was informed of his death only after authorities buried him over 100 km away. ‘I have never had the courage to visit his grave,’ his father told reporters. Another father described burying his 16-year-old son under military watch: ‘I was able to see his face with a cell phone flashlight before

² For more, see ‘[How Chhattisgarh police cremated bodies of Maoist leader and cadres without their families’ consent](#)’ (Malini Subramaniam, *Scroll*, 29 May 2025)

³ For more, see ‘[Secret burials in faraway places: slain Kashmiri militants’ kin are denied right to grieve](#)’ (Syed Kaleem, *Pulitzer Center*, January 2022)

lowering him into the grave.' Families also reported surveillance and restrictions at grave sites, confiscation of phones, and denial of epitaphs. Others spoke of the economic burden of travelling to distant gravesites in the winter, sometimes borrowing cars or money just to grieve. In several cases, families dug symbolic cases at home, hoping someday to rebury their children locally.