



defending human rights in the courts and beyond

Date: February 20, 2023

To,

Shri Vinayak Bhauroao Raut  
Shiv Sena, Ratnagiri-Sindhudurg (Maharashtra)  
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**Subject: Memorandum to prevent hate speech event in Dapoli, Ratnagiri organized by Hindu Janajagruti Samiti**

Dear Sir,

We, at Citizens for Justice and Peace (CJP), are extremely concerned about a proposed and publicised “event” of Hindu Janajagruti Samiti that, according to the information available on their website, is going to be held at Aazad Maidan in Dapoli, Ratnagiri, Maharashtra on Tuesday, February 21, 2023, at 5 pm. **This is tomorrow.** While there is no information that has been available on their website regarding the people who have been invited to speak at this said event, it is near certain that hate-ridden and provocative speeches will be delivered and calls for violence will be made, given the recent track record of the organization and the “principles” that they stand for.

The poster of the event is as follows:



Sir, as a civil rights group, committed to maintaining harmony and social peace, we urge that adequate preventive action is taken under the law. Sir, we are stating this on the basis of the recent Supreme Court order of February 3 and other orders on the issue of hate speech, the history and politics of the people attached to this organisation, and the communally divisive issues that this Samiti advocates



for. Such gatherings where inegalitarian, divisive and stigmatizing words are uttered and mobs provoked violate both the fundamental rights guaranteed to all Indians under the Indian Constitution as are in violation of provisions of Indian criminal law. Articles 14, 15, 16, 21 and 25 of the Constitution stands violated.

Sir, as an elected representative committed to the pluralism, diversity and secular values of the Constitution we especially urge that these attempts to vitiate the atmosphere in your constituency are swiftly curbed.

We have already sent our memorandum to the District Collector's Office, Ratnagiri and Superintendent of Police, Ratnagiri to urge the police to take preventive action in this case, as has been directed by the Supreme Court on February 3. In case of apprehension of any hate speech, the Supreme Court has simply re-iterated the law: the SC has reminded law enforcement that under Indian law it is the duty of the police officers to take preventive action and to lodge suo moto complaints against hate crime offenders as well.

As per the website of Hindu Janajagruti Samiti, many events for the month of February have been planned in various parts of Maharashtra, starting from February 21. A series of such events had also been organized in various parts of Karnataka last month.

The link of their website: <https://www.hindujagruti.org/events>

On February 21, they are holding a Hindu Rashtra Jagruti Sabha, and as per their website, *“The purpose of these Hindu Rashtra-Jagruti Sabhas is to unite ordinary Hindus, Hindu organisations and various sects to get India declared as a ‘Hindu Rashtra’. Hindu Rashtra-Jagruti Sabhas spread awareness about the political, cultural and social onslaught on Hindus and Hinduism. The Sabhas kindle the spark of love towards Dharma and the Nation. This spark should then become a roaring fire of intense activism in the form of concrete and organised steps for the establishment of Hindu Rashtra. Hindus should make a firm resolve to participate in this great Yajna of Hindu Rashtra-Jagruti Sabhas which accord an opportunity to fulfil your duty towards Dharma and the Nation.”*

It can be clearly deduced from the above statement that speeches of provocative and instigating nature will be made in that event. These speeches will also be targeted at the religious minorities of our country, as to establish a nation for Hindus, these extremists Hindutva organisations are instilling anti-Muslim sentiments among the people.

While the details of the said event are lacking, just a mere perusal of the website of the HJS is enough to clear any doubts that one can have regarding their agenda. As per the HJS website, the motto behind setting up of this organization is to move towards the establishment of a “Hindu Rashtra” or a Hindu nation.

Many tweets regarding the upcoming event can be seen on social media. A person associated with the HJS had also tweeted that a rally had been taken out by the HJS members in Ratnagiri to make people aware about the event scheduled for February 21, 2023.



### “Hindu-Issues” advocated for by the HJS



The HJS runs a campaign advocating for the passing of anti-Love Jihad laws in Maharashtra. Extremist Right-wing Hindu groups have been using the term “love-Jihad” loosely now, wielded by an aggressive majoritarianism, woven into a dominant caste Hindu narrative of religious extremism, Islamophobia, and communal hatred. It has also been provided on their website that HJS has been conducting regular workshops to make Hindus “aware” of the consequences of autonomous and free choice marriages, derogatively and provocatively termed ‘Love Jihad.’

On their website, HJS has also mentioned the case of Shraddha Walker-Aftab Poonawalla case, the tragic murder of a woman by her boyfriend that was given a communal turn and used by the right-wing outfits to push their agenda of love-jihad. As a responsible member of the Indian Police force (IPS) you must surely be aware that violence that women are subjected to within relationships have all to do with patriarchy and little do with the faith of one of the partners. To selectively pick on one such heinous murder, politicise it and demonise and stigmatise Muslims amounts to a violation of the basic tenets of the Constitution. This trend of using the suffix of 'jihad' to propagate a communally divisive narrative has caught traction in the recent times. The moment any news wherein a person from Muslim Community is involved, the extremist Hindu outfits rush to label it as some kind of Jihad.



The image shows a tweet from Vishwanath Kulkarni (@vishwanathkut) dated Feb 17, 2023. The tweet contains a poster for an event titled 'हलाल सर्टिफिकेशन' (Halal Certification) and 'एक भारतविरोधी षडयंत्र !' (A conspiracy against India!). The poster lists three speakers: सद्गुरु नीलेश सिंगवाल (Sadguru Nilesh Singwal), श्री. रमेश शिंदे (Shri. Ramesh Shinde), and श्री. कुलदीप तिवारी (Shri. Kuldeep Tiwari). The event is scheduled for Feb 17, 2023, at 11 AM in Lucknow. The poster also includes contact information for the organizer, Janudghosh, and a website link.

This Right-wing extremist organisation also organized various events in the past advocating for the boycott of Halal and the economic boycott of Muslims in India. Other than this, their websites have also provided a communal color to issues such as religious conversions and cow slaughter.

It is pertinent to note, that in the current environment of oppression and otherisation of the Muslim community, such religious issues when portrayed in a prejudicial or hysterical way, without any rational basis to that questioning, with an intention to pitch views of only one segment/community amounts to stigmatizing of an already marginalized section.

### Previous speakers at HJS events

Many notorious hate offenders and hate speakers, such as T. Raja, Pramod Muthalik, Meenakshi Sharan, H.H. Sambhajirao Bhide, Kalicharan Maharaj and Suresh Chavhanke, have been associated with HJS, and participated in their activities. A post of last year shows that all these hate offenders, and more, got together and participated in an event organised by the HJS for the establishment of Hindu Rashtra.



In another tweet, it was also found that notorious hate offender Sambhaji Bhide had also been a speaker at one of the events organised by the HJS in the past, which advocated for the boycott of Halal Products.



Sambhaji Bhide, along with Miling Ekbote, stand accused of inciting Bhima Koregaon violence by giving inciteful and hate speeches just before the event which was the bi-centenary of the Battle of Bhima Koregaon. He is a controversial figure who has been active in propagating militant Hindutva ideology and building Shiv Pratishthan Hindustan. He has been rather active in the past three decades in supposedly ‘spreading awareness’ on the life of Maratha warrior king Shivaji.

A former Rashtriya Swyamasevak Sangh (RSS) worker, he also faces charges of instigating communal riots in Miraj-Sangli in Sangli district during Ganpati emersion, over an arch sporting a poster depicting the slaying of Afzal Khan. He also played a major role when his organisation ransacked theatres to protest the film, Jodha Akbar in 2008.

### **Directions of the Supreme Court**

We would also like to highlight that on February 3, 2023, the Supreme Court issued directions with respect to an event which was scheduled to be held in Mumbai on February 5 by another extremist Hindutva group, Sakal Hindu Samaj. The petitioner, Shaheen Abdullah had contended that similar to its anti-Muslim speech during 'Hindu Jan Aakrosh Morcha' held in Mumbai on January 29, it can be apprehended that the same will be repeated during the February 5 meeting as well. The apex court had thus sought a video of the entire event to be scrutinized by the court at the next hearing. The court has also taken an undertaking from government of Maharashtra that if permission for this event is granted “it will be subject to the condition that nobody will make any hate speech and in defiance of law or disturbing the public order.”

The court also outlined directives with respect to taking preventive action in such cases:

*“We also direct that the Officer(s), in case, permission is granted and, in case, the occasion arises for invoking the power under Section 151 of Cr.P.C. as aforesaid, it shall be the duty of the Officer(s) concerned to invoke the said power and to act as per the mandate of Section 151 of the Cr.P.C.”*

The apex court has, thus, again outlined already codified statutory duties of a police officer which makes it mandatory for them to take action under section 151 of CrPC in case there is apprehension of hate speech. The court, during the last hearing on February 3 had also expressed its disappointment that the police was not taking preventive action or filing complaints suo moto in cases of hate speech, as it had directed in October, 2022 while hearing a bath of petitions against hate speech at various occasions.

***A copy of the Supreme court order dated February 3, 2023 has been marked and annexed hereto as Annexure A***



In its October 21, 2022 order, the Supreme Court had issued interim directions to the state Police wherein it had directed that

“As and when any speech or any action takes place which attracts offences such as Sections 153A, 153B and 295A and 505 of the IPC etc., suo moto action will be taken to register cases even if no complaint is forthcoming and proceed against the offenders in accordance with law.”

The court had further said that non-compliance would amount to contempt of court:

“We make it clear that any hesitation to act in accordance with this direction will be viewed as contempt of this Court and appropriate action will be taken against the erring officers,” the order reads.

***A copy of the Supreme Court order dated October 21, 2022 has been marked and annexed hereto as Annexure B***

In view of state-wide attempts to stigmatise India’s minorities and even provoke violence we strongly urge you do everything in your capacity as an elected representative from Ratnagiri to prevent this event and rally which could do much damage to not just the secular fabric of the society but also to communal harmony in Ratnagiri and state of Maharashtra as a whole.

Hindu Janajagruti Samiti has been notorious for organizing events and calling people who are known to deliver hate speeches in the past. It is clear from the history of events organized by Hindu Janajagruti Samiti in the recent past and the history of hate offences associated with them and participate in their activities that similar speeches will be made and derogatory comments that will tend to disturb the peace and harmony and with tendency to disrupt law and order will be made.

Considering the indisputable history of hate speech of the speakers and the organisers as well, it is pertinent that you take immediate action in this regard and cancel the permission (if given) or deny permission for this event, in the light of the Supreme Court directions of February 3, (as indicated above).

Thus, we hope that you will do all that you can in your power, especially bringing to the notice of Ratnagiri police to take preventive action in this regard by following due process of law. We anticipate that a push from the elected representative of Ratnagiri, a Member of Lok Sabha and a prominent public figure will bolster this endeavour to protect the society from such hateful public events.



In anticipation,

Yours sincerely,

Nandan Maluste, CJP President

Teesta Setalvad, CJP Secretary

**List of Annexures:**

Annexure A: A copy of the Supreme Court order dated February 3, 2023

Annexure B: A copy of the Supreme Court order dated October 21, 2022