



Date: February 7, 2023

To,

Ms. Supriya Sule

Member of Parliament

Email: supriyassule@gmail.com / supriya.sule@sansad.nic.in

Subject: Memorandum to prevent hate speech event in Baramati organized by Sakal Hindu Samaj

Dear Ma'am,

We, at Citizens for Justice and Peace (CJP), are extremely concerned about a proposed and publicised "event" that, according to posters in the public domain, is going to be held in Kasba, Baramati, Maharashtra on Thursday, February 9, 2023, at which 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 both the individuals speaking at the proposed event as also the organisations involved.

Ma'am, as a civil rights group, committed to maintaining harmony and social peace, we urge that adequate preventive action is taken under the law. Ma'am, we are stating this on the basis of minute documentation by us of such hate crimes, that constitute previous offences committed at events organized by Sakal Hindu Samaj who is also the organizer of the February 9 event, as well as the history of the two speakers invited to the event.

It is not just an event, but a rally which will be carried out. The speakers invited at the event, **Kalicharan Maharaj** and **Shankar Gaikar** have a history of criminal cases where they have even been arrested for hate speech and other offences. In fact, Kalicharan has been arrested by Pune Police last year itself for delivering such hate speech.

Ma'am 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 DGP, Maharashtra, SP of Rural Pune and Deputy SP of Baramati 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.

Since both the speakers in this case have had a history being accused of hate speech and were even arrested for it, it becomes imperative that the police take urgent action.

“Hate crimes as a product of intolerance, ideological dominance and prejudice ought not to be tolerated; lest it results in a reign of terror” (Tehseen Poonawalla v UOI and ors (2018) 9 SCC 501)

Details:

A Hindu Janagarjana Morcha is going to be held in Shivaji Maharaj Udyan, Kasba, Baramati on February 9 at 1 pm. The rally is going to take the route from Shivaji Maharaj Udyan to Gunwadi Chowk to Gandhi Chowk to Bhigwan Chowk and end at Teen Hatti Chowk. The event is being organised by Sakal Hindu Samaj and the agenda of the meeting is to demand a central law against Love Jihad, Religious conversion and cow slaughter. The main guests at this event are Kalicharan Maharaj and Shankar Gaikar, both of whom have been accused of hate speech in the past.

For their earlier mentioned hate offences, CJP has filed complaints against both Kalicharan and Gaikar with the DGP office in the past few months. We have highlighted how their hate speech is against the constitutional spirit and values of secularism, fraternity and all democratic values. These speeches not only pose a serious threat to law and order but also apprehend a disturbance of public order where people could get incited to resort to violence and the same could result in communal disharmony. This is neither desirable for the State nor favourable to the law and order situation.

A banner of the proposed event has been erected in Baramati



Here's a profile of both Kalicharan and Gaikar, whose hate speeches have been diligently tracked by us in our endeavour to ensure hate offenders are brought to book, through our 'Hate Watch' Campaign.

It is also pertinent to note that Kalicharan was arrested by Pune Police in January 2022 for a hate speech case dates to December 2021 where he spoke against Muslims and Christians. He was also arrested in Raipur, Chhattisgarh for making derogatory comments against Mahatma Gandhi.

Kalicharan

Kalicharan's actual name is Abhijit Dhananjay Sarag, and he is a resident of Shivajinagar in Akola in Maharashtra. He reportedly dropped out of the Shivaji Nagar Parishad School after class eight. His parents "sent him to Indore" to his aunt's place because he was "not interested in studies", added the report. Soon he "started visiting Bhayyuji Maharaj's ashram," and eventually "took Diksha" and came to be known as 'Kalicharan Maharaj' after that.

In July 2020, Kalicharan was seen in a video wearing a large red bindi on his forehead, clad in bright red robes. Kalicharan had become a social media sensation when videos of him singing the 'Shiva Tandav Stotra' at the Bhojeshwar Shiv Temple in Madhya Pradesh went viral.

As his social media popularity grew, he started getting invites to speak at religious events. At a Dharam Sansad in Chhattisgarh held on December 26, 2021, he said, "I salute Nathuram Godse that he killed Gandhi" adding that the "target of Islam is to capture nation through politics." He asked people to elect a "staunch Hindu king (leader) in the government irrespective of any party (he/she) belongs to...The women of our houses are very good and civilised and they do not go to vote (in election). When there will be gang-rapes then what will happen to women of your houses (families)...(Mahamurkho) Idiots! The target of Islam is to capture nation through politics. In front of our eyes they had captured in 1947 (referring to partition)...They had earlier captured Iran, Iraq and Afghanistan. They captured Bangladesh and Pakistan through politics."

The video of his speech from December 2021 may be viewed

here: <https://www.youtube.com/watch?v=kz9VGIEwlFs>

At an event in December last year, organized by Sakal Hindu Samaj in Ahmednagar, Maharashtra he made wild claims about 'love jihad' and suggested black magic to "cure a woman of love jihad", thus propagating superstition while at the same time making false claims about Indian history.

CJP had even filed a complaint on December 28, 2022, to the DGP, Maharashtra as well as the National Commission for Minorities against the same.

The video of his speech from December 2022 may be viewed

here: https://www.youtube.com/watch?v=FVNOjd_YI98

In another instance, in May 2022, Kalicharan was heard saying that “80 crore women were gang rape in 800 years, 5 Lakh mandirs were demolished in the last 800 years and mosques were constructed in its place.

The video of his speech from May 2022 may be viewed here: <https://www.youtube.com/watch?v=Vmc4L-oHE6c>

Shankar Gaikar

Gaikar came into the news recently when he made a hate speech at Shaurya Path Sanchalan event, held in Boisar, Maharashtra. Referring to the stick used by RSS in its rallies, Gaikar said, “This stick will attack those who work against the nation, insult Bharat Mata, wield a sword on the chest of Mother India and use a knife.” He also made derogatory comments against Islam.

The video of his speech may be viewed here: <https://twitter.com/HindutvaWatchIn/status/>
In the year 2017, Shankar Gaikar stoked up a controversy by demanding that the recruitment of Kashmiri Muslim youth in the security forces be stopped. Gaikar alleged that there were incidents of theft of weapons and ammunitions from the security forces. According to him, these weapons were used against our own forces. So, he demanded that the recruitment of Muslim youths from Kashmir should stop. Gaikar made several other controversial statements and even went on to demand that the educational and other facilities provided to Muslims in the valley should be stopped. He had also urged that shops/businesses owned by Kashmiri Muslims in tourist destinations be shut down.

In this regard as well CJP wrote to the SDPO, Boisar and AddlSP, Palghar and DGP of Maharashtra to register a complaint against Gaikar.

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 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 has 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 him/her 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 Baramati 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 Baramati and state of Maharashtra as a whole.

Sakal Hindu Samaj 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 Sakal Hindu Samaj in the recent past and the history of hate offences of Kalicharan Maharaj and Shankar Gaikar that once again during the February 9 event as well, 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.



Thus, we hope that you will do all that you can in your power, especially bringing to the notice of Baramati police to take preventive action in this regard by following due process of law. We anticipate that a push from the elected representative of Baramati, a Member of Lok Sabha and a prominent public figure who has always spoken in support of human rights 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