



**Date: June 2, 2023**

To,

**Shri Iqbal Singh Lalpura**  
**Hon'ble Chairperson**  
**National Commission for Minorities**  
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**Subject: Complaint against Repeated Hate Offender Pravin Togadia for his Islamophobic and hate filled speeches**

Respected Sir,

We at Citizens for Justice and Peace (CJP) Mumbai, a human rights movement dedicated to furthering the constitutional rights of all Indians, are deeply concerned about the communal and hate spewing speeches delivered by Pravin Togadia from December 2022- January 2023 across North India and Assam. Togadia, a surgeon-turned-Hindutva leader and president of Antarashtriya Hindu Parishad (AHP) espouses a hard, right-wing, exclusionist ideology, and can be seen delivering incendiary and inciteful speeches through which he has targeted the religious minorities of our country, especially the Muslim community.

In his speeches, videos of which have gone “viral” and reached hundreds of thousands, he has made strange and offensive claims against the minority community. We would like to bring your attention to the instigating speech videos, urging you to take stringent action against the perpetrator, as if these hate-driven speeches are left unchecked, the peace and harmony of our country will be affected direly. Sir, we are also generally concerned with the overall unsafe atmosphere for the Muslim community that is being generated through the systemic and perpetrated use of hate speech and writing within the state and urge that urgent steps are taken to curtail and prosecute the same.

We have enlisted the speeches made by his during the time period December 2022 - May 2023:

**1. Malwa- Madhya Pradesh- May 16, 2023**

The excerpts of the speech made by him at Malwa on May 16, 2023 are as follows:

*“Even if you spell the name of a Hindu girl, we will not spare you... For the safety of women, make a law against love jihad. Make a law to curb the growing population of Muslims. People are watching ‘The Kerala Story’. But is even one person talking about bringing anti-love jihad law? You are just marketing humiliation of Hindu women.”*

*“We do not want a marketing person, we want someone who will break an eye for an eye. Is our daughter Nupur Sharma able to leave her house? Has India become Afghanistan? A Hindu daughter is restrained in her house. How do they have the audacity to behead Kanhaiya? How dare you cut up Shradha in 35 pieces? How did you kill Umesh Kolbe in Amravati, Maharashtra?”*

*“Even today Hindu is in danger. In the coming 50 years, the growing Muslim population will turn this country into Afghanistan. By their growing population, no Hindu home will be safe. No Congress or BJP person will be spared.”*

*“2,000 years ago there was no Christianity. There were no Christians then. Who were they? (Audience says ‘Hindu’). There was no Islam 1,400 years ago. Who were they then? Hindus. Since the creation of the universe until Mahabharat. All people on this planet were Hindus. In England, Europe, Mecca Madina, everywhere there were Hindus. What happened to them? They were all killed. Over 500 crore Hindus have been killed in 2,000 years. Out of those who were cowards got converted. Today whatever religious conversions you see are all cowards.”*

**The video uploaded on Twitter dated May 18, 2023 is marked and annexed hereto as Annexure A**

[https://twitter.com/HindutvaWatchIn/status/1659059135432761347?ref\\_src=twsrc%5Etfw%7Ctwcamp%5Etweetembed%7Ctwterm%5E1659059135432761347%7Ctwgr%5E60fe78eda0d6206615cc60a3b025792304f8008d%7Ctwcon%5Es1 &ref\\_url=https%3A%2F%2Fsabrangindia.in%2Farticle%2Fpravin-togadia-and-his-incessant-hate-speeches-madhya-pradesh](https://twitter.com/HindutvaWatchIn/status/1659059135432761347?ref_src=twsrc%5Etfw%7Ctwcamp%5Etweetembed%7Ctwterm%5E1659059135432761347%7Ctwgr%5E60fe78eda0d6206615cc60a3b025792304f8008d%7Ctwcon%5Es1 &ref_url=https%3A%2F%2Fsabrangindia.in%2Farticle%2Fpravin-togadia-and-his-incessant-hate-speeches-madhya-pradesh)

**2. Jhabua, Madhya Pradesh- (May 19)**

Togadia delivered a speech at Choyal Hospital in Jhabua, Madhya Pradesh. Togadia repeated the claim that there were no Christians and Muslims 2000 years ago. He can further be seen and heard making a baseless claim that *“In Riyadh, last year when it rained a lot, they found a small town where a 6,000 years old Shivaling was found. I won’t go into evidence. I just want to tell you there were Hindus everywhere. Over 500 crore Hindus have been killed in 2,000 years. Out of those who were cowards got converted.”*

*“My ancestors were rulers in Arabistan before Islam came.”*

*“My estimate is that 50 years later no Hindu will be left in this country”.*

**The video uploaded on Twitter dated May 19, 2023 is marked and annexed hereto as Annexure B**

[https://twitter.com/HindutvaWatchIn/status/1659395423050641412?ref\\_src=twsrc%5Etfw%7Ctwcamp%5Etweetembed%7Ctwterm%5E1659395423050641412%7Ctwgr%5E60fe78eda0d6206615cc60a3b025792304f8008d%7Ctwcon%5Es1 &ref\\_url=https%3A%2F%2Fsabrangindia.in%2Farticle%2Fpravin-togadia-and-his-incessant-hate-speeches-madhya-pradesh](https://twitter.com/HindutvaWatchIn/status/1659395423050641412?ref_src=twsrc%5Etfw%7Ctwcamp%5Etweetembed%7Ctwterm%5E1659395423050641412%7Ctwgr%5E60fe78eda0d6206615cc60a3b025792304f8008d%7Ctwcon%5Es1 &ref_url=https%3A%2F%2Fsabrangindia.in%2Farticle%2Fpravin-togadia-and-his-incessant-hate-speeches-madhya-pradesh)

**3. Mandideep, Madhya Pradesh- May 14, 2023**

At an event organised at Mandideep, Madhya Pradesh on May 14, 2023 Togadia provoked his audience to build temples instead of mosques in Kashi- Mathura. He says *“Do you think Kashi-Vishwanath temple*

should be made or not? When I say “what are your demands”, you say “to pray in Kasbi-Vishwanath.” The audience then repeats.

He further says,

*“We had said that we will build the temple, even if you do not agree to it, we will stand on your chest and build our temple. Tell me, is the temple getting constructed or not?”*

*“In Kasbi-Vishwanath, Gyanvapi, we will worship and offer our prayers. If you agree to it, then good, but even if you don’t agree to it, it will happen. My brothers, since the path of Ram Mandir in Ayodhya has opened, the path of Kasbi-Mathura will be opened in the same way.”*

*“The population of Muslims is increasing in India, we will get this rising population rate of Muslims regulated, get them under control. We will not give the right to Muslims to give birth and increase their population in India.”*

**The video uploaded on Twitter dated May 14, 2023 is marked and annexed hereto as Annexure C**

[https://twitter.com/HindutvaWatchIn/status/1657583716078698499?ref\\_src=twsrc%5Etfw%7Ctwcamp%5Etweetembed%7Ctwterm%5E1657583716078698499%7Ctwgr%5E72b66e26990697c714bfec00dd47361cde8d7a8f%7Ctwcon%5Es1 &ref\\_url=https%3A%2F%2Fsabrangindia.in%2Farticle%2Fmp-ahp-leader-pravin-togadia-delivers-hate-speeches-3-districts-over-3-days-targets](https://twitter.com/HindutvaWatchIn/status/1657583716078698499?ref_src=twsrc%5Etfw%7Ctwcamp%5Etweetembed%7Ctwterm%5E1657583716078698499%7Ctwgr%5E72b66e26990697c714bfec00dd47361cde8d7a8f%7Ctwcon%5Es1 &ref_url=https%3A%2F%2Fsabrangindia.in%2Farticle%2Fmp-ahp-leader-pravin-togadia-delivers-hate-speeches-3-districts-over-3-days-targets)

#### 4. Amla, Madhya Pradesh- May 13, 2023

At an event organised in Amla on 13 May, 2023 Togadia administered an oath to the audience “Hindus are in danger from Muslims and Christians. I shall, with all my body, soul and wealth, dedicate my life to work for Hindus.”

He also said,

*“If anything happens to a Muslim, tell me, does the whole mosque and the Muslim community stand in their support and fight? When something happens to a Christians, does the whole Church stand for them or not? Tell me, are we Hindus this united? Who will stand with us when we are attacked?”*

*“This is why we need to have one lakh Hanuman Chalisa Kendra. For example, if any Hindu is attacked in Amla, MP, and if the Hanuman Chalisa Kendra is working in 100 villages here, will 10,000 people not stand in that one Hindu’s support? And, if for one Hindu in Amla, 10,000 people come to show support, will these people (Muslims) not be scared then?”*

*“We will reply to bricks with bricks. If crores of Hindus participate in these Hanuman Chalisa Kendra, we will remove the name of Pakistan from the map.”*

**The video uploaded on Twitter dated May 13, 2023 is marked and annexed hereto as Annexure D**

[https://twitter.com/HindutvaWatchIn/status/1657399741594972162?ref\\_src=twsrc%5Etfw%7Ctwcamp%5Etweetembed%7Ctwterm%5E1657399741594972162%7Ctwgr%5E72b66e26990697c714bfec00dd47361cde8d7a8f%7Ctwcon%5Es1 &ref\\_url=https%3A%2F%2Fsabrangindia.in%2Farticle%2Fmp-ahp-leader-pravin-togadia-delivers-hate-speeches-3-districts-over-3-days-targets](https://twitter.com/HindutvaWatchIn/status/1657399741594972162?ref_src=twsrc%5Etfw%7Ctwcamp%5Etweetembed%7Ctwterm%5E1657399741594972162%7Ctwgr%5E72b66e26990697c714bfec00dd47361cde8d7a8f%7Ctwcon%5Es1 &ref_url=https%3A%2F%2Fsabrangindia.in%2Farticle%2Fmp-ahp-leader-pravin-togadia-delivers-hate-speeches-3-districts-over-3-days-targets)

## 5. Itarsi, Madhya Pradesh- May 12, 2023

Togadia delivered a speech at an event in Itarsi, Madhya Pradesh on May 12, 2023 where he claimed that Muslims are increasing their population to reach the Mughal rule level. He said,

*“The combined population of Muslims and Christians in India formulate a total of 22 percent. In the next 50 years, this percentage will reach 40%, and the Mughal rule will return in India. And today, when our (Hindus) population is 78%, even then our daughter Nupur Sharma cannot leave her house because of them (Muslims).”*

*“Our son Kanhaiya, he was butchered in his own tailoring shop. Our daughter Shraddha gets chopped into 35 pieces, while someone else is killed in Amravati. What I am trying to say is that their population is pretty big. In Kashmir, Hindus are killed in daylight. And what is their fault? No fault other than being a Hindu.”*

*“We are also Hindus. We will not be safe even if there is no fault of ours. In this country, the Hindus were never safe in the past, and still are not safe in the present. And in the future, owing to their (Muslims) increasing population, the unsafe environment for the Hindus is going to grow.”*

### **The video uploaded on Twitter dated May 12, 2023 is marked and annexed hereto as Annexure E**

[https://twitter.com/HindutvaWatchIn/status/1657229069778296832?ref\\_src=twsrc%5Etfm%7Ctwcamp%5Etweetembed%7Ctwterm%5E1657229069778296832%7Ctwgr%5E72b66e26990697c714bfec00dd47361cde8d7a8f%7Ctwcon%5Es1&ref\\_url=https%3A%2F%2Fsabrangindia.in%2Farticle%2Fmp-abp-leader-pravin-togadia-delivers-hate-speeches-3-districts-over-3-days-targets](https://twitter.com/HindutvaWatchIn/status/1657229069778296832?ref_src=twsrc%5Etfm%7Ctwcamp%5Etweetembed%7Ctwterm%5E1657229069778296832%7Ctwgr%5E72b66e26990697c714bfec00dd47361cde8d7a8f%7Ctwcon%5Es1&ref_url=https%3A%2F%2Fsabrangindia.in%2Farticle%2Fmp-abp-leader-pravin-togadia-delivers-hate-speeches-3-districts-over-3-days-targets)

## 6. Muzaffarpur, Bihar- March 2, 2023

At an event organised at MPS Science College, Bihar by the Antarashtriya Hindu Parishad (AHP) Togadia delivered a speech to further his divisive speech. He continued his misinformed claims about the minority communities and said that

*“Now, not just one part, but the entire country is going to become an Islamic state, Darul Islam. They will target every Hindu’s house.”*

*“The one who is powerful will die fighting, and the ones who are cowards will convert.”*

*“And we will control the state power on the basis of people’s power. And the way I see the mood of the public, I see this happening in the next 10 years.”*

The crowd then proceeds to chant “Jai Shri Ram”.

### **The video uploaded on Twitter dated March 3, 2023 is marked and annexed hereto as Annexure F**

[https://twitter.com/HindutvaWatchIn/status/1631485654650568705?ref\\_src=twsrc%5Etfw%7Ctwcamp%5Etweetembed%7Ctwterm%5E1631485654650568705%7Ctwgr%5E7b38319f791845dfa3f4f61e0c2579b1cc7455c9%7Ctwcon%5Es1&ref\\_url=https%3A%2F%2Fsabrangindia.in%2Farticle%2Fhatewatch-inciteful-speech-given-ahp-leader-pravin-togadia-mps-science-college-bihar](https://twitter.com/HindutvaWatchIn/status/1631485654650568705?ref_src=twsrc%5Etfw%7Ctwcamp%5Etweetembed%7Ctwterm%5E1631485654650568705%7Ctwgr%5E7b38319f791845dfa3f4f61e0c2579b1cc7455c9%7Ctwcon%5Es1&ref_url=https%3A%2F%2Fsabrangindia.in%2Farticle%2Fhatewatch-inciteful-speech-given-ahp-leader-pravin-togadia-mps-science-college-bihar)

## 7. Jind, Haryana- January 28, 2023

At an event organised by AHP at Jind, Haryana on 28 January, 2023 where he provoked the audience to join AHP, praised the Gujarat model and talked about the role he played in the 2000 Gujarat massacre. Talking about the Gujarat model he said, *“Keeping you in mind we set up a model in Gujarat. Nobody will raise a finger against Hindus. If one does, he will regret it.”* The audience then chants “Jai Shri Ram” and showcases their support.

**The video uploaded on Twitter dated January 28, 2023 is marked and annexed hereto as Annexure G**

[https://twitter.com/HateDetectors/status/1619195302074015744?ref\\_src=twsrc%5Etfw%7Ctwcamp%5Etweetembed%7Ctwterm%5E1619195302074015744%7Ctwgr%5Eda187b99228ecb70e1faad2ecf17f6051adb2ba2%7Ctwcon%5Es1\\_&ref\\_url=https%3A%2F%2Fsabrangindia.in%2Farticle%2Fpravin-togadia-urges-hindus-join-ahp-and-bairang-dal-prepare-battle](https://twitter.com/HateDetectors/status/1619195302074015744?ref_src=twsrc%5Etfw%7Ctwcamp%5Etweetembed%7Ctwterm%5E1619195302074015744%7Ctwgr%5Eda187b99228ecb70e1faad2ecf17f6051adb2ba2%7Ctwcon%5Es1_&ref_url=https%3A%2F%2Fsabrangindia.in%2Farticle%2Fpravin-togadia-urges-hindus-join-ahp-and-bairang-dal-prepare-battle)

## 8. Palwal, Haryana- January 24, 2023

At another event organised by AHP at Palwal, Haryana on January 24, 2023 Togadia can be seen and heard addressing hundreds of people. He says that we (Hindus) need a Population control law, “love jihad law”, and need to kick out the Bangladeshis out of India. He also administers an oath in which he says “Prosperous Hindu, Safe Hindu, Every Hindu”

*“Every family, our village, our Hindu society, our Hindu religion, our Hindu country. That is why we will make a law of population rules. We will enact a uniform civil law. Anti-love jihad law will be enacted. Bangladeshis will be driven away”*

The crowd then chants “Jai Shri Ram”.

**The video uploaded on Twitter dated January 24, 2023 is marked and annexed hereto as Annexure H**

[https://twitter.com/HindutvaWatchIn/status/1617779568978563073?ref\\_src=twsrc%5Etfw%7Ctwcamp%5Etweetembed%7Ctwterm%5E1617779568978563073%7Ctwgr%5E94f3fbd46067066e426451e716a6353af5e8bb8f%7Ctwcon%5Es1\\_&ref\\_url=https%3A%2F%2Fsabrangindia.in%2Farticle%2Fhundreds-can-be-seen-repeating-communal-and-anti-muslim-oath-administered-pravin-togadia](https://twitter.com/HindutvaWatchIn/status/1617779568978563073?ref_src=twsrc%5Etfw%7Ctwcamp%5Etweetembed%7Ctwterm%5E1617779568978563073%7Ctwgr%5E94f3fbd46067066e426451e716a6353af5e8bb8f%7Ctwcon%5Es1_&ref_url=https%3A%2F%2Fsabrangindia.in%2Farticle%2Fhundreds-can-be-seen-repeating-communal-and-anti-muslim-oath-administered-pravin-togadia)

## 9. Karimganj, Assam- December 11, 2022

At an event organised at Karimganj, Assam on December 11, 2022 where he explicitly says that there should be a law saying that “no SP, PM, DM from any other community” and that in *“his regime, no Muslim (will) get any Constitutional Post”*.

**The video uploaded on Twitter dated December 11, 2022 is marked and annexed hereto as Annexure I**

<https://www.facebook.com/watch/?ref=external&v=1523611584785339>

Social media platforms, on which the speeches of Togadia are easily accessible, disproportionately assist far-right political parties by helping them bolster social divisions. They tend to demonize and further marginalize out-group communities and minorities. The major strategy is to portray those

individuals as intimidating and dangerous in order for the general population to accumulate fear and hatred against them.

The baseless statements made by Togadia not only stand to destroy the communal harmony in the country but are also reflective of a divisive mind-set that can only trigger insecurity and trauma among sections of our own people while working as propaganda on others to commit criminal and violent acts. His ignorant comments also clearly amount to spreading hatred and distrust against vulnerable and marginalized sections of our population, Muslims, besides being a grave threat to the peace, unity and integrity of India. Especially so, in view of the sensitive and hyper charged atmosphere today wherein aggression is being unleashed, unchecked, with impunity, on sections of our population. The sheer vulgarity implied by the words used in the speech will make any normal person recoil in horror, but to the audience and colleagues of Togadia, these comments were to be applauded to. He has given anti-Muslim hate speeches on multiple occasions since his inflammatory comments in Gujarat and central India in the early 2000s. He has consistently targeted the Muslim community as is evident from the speeches mentioned above.

The conspiracy theory of Muslims and Christians being a threat to India and that they are trying to increase their population to take over the country and make it an “Islamic nation”, need for “love jihad” laws, which in itself is a bogey term with no data to support the claim.

It is pertinent to note that no FIRs have been registered against any of these speeches made by Togadia.

**Given this background, it is both urgent and essential that the speech given by Pravin Togadia is acted upon and criminal changes are levied on him for uttering such words that can cause problems for the safety and security of the minority community in our country, threaten and intimidate women and also threaten social harmony in general.**

### **CJP's complaints to other authorities**

CJP has been actively reaching out to district and state authorities as well with respect to taking action against Praveen Togadia. On May 5, 2022 we filed a complaint to NCM regarding his speech made on 24 April, 2022. In a prompt action, NCM had, on May 13, 2022 asked the Assam Chief Secretary to take necessary action against him. However, no such action was taken by the state.

### **Penal implications**

Statements such as these are bound to make things worse; to further generate communal disharmony or feelings of ill will, enmity and hatred between the supporters of different political parties. The utterances also amount to an act which is prejudicial to the maintenance of harmony between different groups and is likely to disturb public tranquility. Moreover, such open intimidation and hate-filled statements only makes the targeted group more vulnerable to violent acts. Such hate speech that is illegal and unconstitutional violates the following provisions of the law:

#### **Indian Penal Code:**

109- Abetment

153- Wantonly giving provocation with intent to cause riot—if rioting be committed—if not committed

153A- Promoting enmity between different groups on grounds of religion, race, place of birth, residence, language, etc., and doing acts prejudicial to maintenance of harmony.

153B- Imputation, assertions prejudicial to national-integration.

268- Public Nuisance

295A. Deliberate and malicious acts, intended to outrage religious feelings of any class by insulting its religion or religious beliefs

503- Criminal intimidation

504. Intentional insult with intent to provoke breach of the peace

505 - Statements conducing to public mischief and Statements creating or promoting enmity, hatred or ill-will between classes

### **Judicial precedents against Hate Speech:**

In *Firoz Iqbal Khan vs Union of India [W.P (Civ.) No. 956 of 2020]*, the Supreme Court had held, “..the edifice of a democratic society committed to the rule of law under a regime of constitutional rights, values and duties is founded on the co-existence of communities. India is a melting pot of civilizations, cultures, religions and languages. Any attempt to vilify a religious community must be viewed with grave disfavour by this Court as the custodian of constitutional values.” (Para 11)

In *Pravasi Bhalai Sangathan v. Union of India, (Ref: AIR 2014 SC 1591)*, the Supreme Court has unambiguously stated that “hate speech is an effort to marginalise individuals based on their membership to a group, that can have a social impact. Moreover, the Court stated that hate speech lays the groundwork for broad attacks on the vulnerable that can range from discrimination, to ostracism, deportation, violence, and even to genocide. Therefore, the aforementioned news items are tantamount to the perpetration of genocide, and must be considered to be in violation of Article 21 of the Constitution.” (Para 7)

The extent of hate and anti-minority sentiment is on the rise all over the country, where public figures such as Pravin Togadia are openly targeting certain groups.

### **Deleterious Impact**

These statements have now gone beyond being just hate speech and have become brazen calls for genocide and encouragement to pick up arms against the minority community.

Hate speech has not been dealt with an iron hand in the past few years and these makers of hate speech have not faced any serious legal action till date which has resultantly given them a free hand and has pushed them to make worse statements than they may have made before. The impunity with which they have been dealt with until now has made the social media a breeding ground for such public figures who have a wide audience who comments on their hate speeches, gets inspired by them and commit more illegal acts.

Such expression of extreme hate with a clear communal objective to establish religious hegemony upon a community that is already a minority in numbers in the country, is deplorable and against the constitutional values that we uphold as citizens of this country. It is quite clear so far that, given the

well-orchestrated and numerous instances of hate speech and actual hate crimes being committed, the minority community in various parts of India already feels insecure and threatened.

Callous and brazen statements such as this one, made by political leaders at public platforms have far reaching impact and rather perilous repercussions. In order to avoid targeted violence against vulnerable sections to erupt and communal clashes to follow, we urge this Commission to take cognizance and reprimand people, especially political leaders who have a following and influence, to refrain from making comments that would shake the secular fabric of the country.

In the case of *Amish Devgan vs Union Of India 2021 1 SCC 1*, the Supreme Court quoted Benjamin Franklin, “It remains difficult in law to draw the outmost bounds of freedom of speech and expression, the limit beyond which the right would fall foul and can be subordinated to other democratic values and public law considerations, so as to constitute a criminal offence. The difficulty arises in ascertaining the legitimate countervailing public duty, and in proportionality and reasonableness of the restriction which criminalizes written or spoken words. Further, criminalization of speech is often demarcated and delineated by the past and recent significant events affecting the nation including explanation of their causes. Therefore, constitutional and statutory treatment of ‘hate speech’ depends on the values sought to be promoted, perceived harm involved and the importance of these harms. Consequently, a universal definition of ‘hate speech’ remains difficult, except for one commonality that ‘incitement to violence’ is punishable.” **(Para 15)**

In that judgment, the Hon’ble Supreme Court elaborated on the concept of Hate Speech by identifying three elements:

- Content-based: Open use of words and phrases generally considered to be offensive to a particular community and objectively offensive to the society.
- Intent-based: Speaker’s message to intend only to promote hatred, violence or resentment against a particular class or group.
- Harm-based/ impact-based: There is an element of harm to the victim which can be violent or such as loss of self-esteem, economic or social subordination, physical and mental stress, silencing of the victim and effective exclusion from the political arena. (Para 29)

In the same case, the Apex court also cited Andre Sellars from his essay ‘Defining Hate Speech’ where he examined the concept of hate speech in different democratic jurisdictions and formulated common traits in defining ‘hate speech’. He says:

- Hate speech targets a group, or an individual as a member of the group
- One should be able to objectively identify the speech as an insult or threat to the members of the targeted group, including stigmatizing the targeted group by ascribing to it qualities widely disregarded as undesirable
- Speech should cause harm, which can be physical harm such as violence or incitement and true threats of violence
- Speech should have no redeeming purpose, which means that ‘the speech primarily carries no meaning other than hatred towards a particular group’ (Para 29)

In the case of the *State of Karnataka and an vs. Dr Pravinbhai Togadia (2004) 4 SCC 684*, the Supreme Court held, “Communal harmony should not be made to suffer and be made dependent upon the will of an individual or a group of individuals whatever be their religion bit of a minority or that of the majority... the valuable and cherished right of freedom of expression and speech may at times have to be subjected to reasonable subordination to social interests needs and necessities to preserve the very core of democratic life preservation of public order and rule of law. At some such grave situation



at least the decision as to the need and necessity to take private reactions must be left to the discretion of those entrusted with the duty of maintaining law and order and interposition of courts.” (Para 7)

The 267th Law Commission Report on Hate Speech agrees with this stance and states that:

***“Hate speech has the potential of provoking individuals or society to commit acts of terrorism, genocides, ethnic cleansing etc. Such speech is considered outside the realm of protective discourse. Indisputably, offensive speech has real and devastating effects on people’s lives and risks their health and safety. It is harmful and divisive for communities and hampers social progress. If left unchecked hate speech can severely affect right to life of every individual.”***

The extent of hate and anti-minority sentiment is on the rise all over the country, where public figures such as Pravin Togadia openly target certain groups. **We urge the commission to take cognizance of the videos enclosed herewith, register a case against the perpetrator identified as Pravin Togadia and take rapid action against him for the cognizable offences.**

We, at CJP, urge this Hon’ble Commission to:

1. Take cognizance of this complaint under section 9(1)(d) of the National Commission for Minorities, 1992;
2. To direct the attendance of Togadia along with the members of his organisation before your commission to examine such allegations under section 9(4)(a) of the Act, 1992;
3. Keep a close eye on the investigation and call for the discovery and production of any document, receive affidavits, requisition any public record or copy thereof from any court or office, issue commissions for the examination of witnesses and documents under section 9(4) (b) to (e) under the Act;
4. To direct the Police authorities of the respective states or any other appropriate authority to investigate the matter thoroughly, register FIRs against such blatant hate speech ensuring that all relevant sections of the Indian Criminal law and Police Acts are included in the said criminal complaint;
5. Issue directions to the respective State police to submit an Action Taken Report and give updates to this Commission regarding progress in investigation in the case; 6. Issue any other directions to Maharashtra Police as the Commission may deem fit and proper in the circumstances of the case;
6. Undertake any other action as the Commission may deem fit.

**Due concern voiced by the National Commission for Minorities (NCM) too, we feel, will ensure a prompt response.**

Yours sincerely,

Nandan Maluste, CJP President

Teesta Setalvad, CJP Secretary

**List of Annexures**

- Annexure A: The video uploaded on Twitter dated May 18, 2023
- Annexure B: The video uploaded on Twitter dated May 19, 2023
- Annexure C: The video uploaded on Twitter dated May 14, 2023
- Annexure D: The video uploaded on Twitter dated May 13, 2023
- Annexure E: The video uploaded on Twitter dated May 12, 2023
- Annexure F: The video uploaded on Twitter dated March 3, 2023
- Annexure G: The video uploaded on Twitter dated January 28, 2023
- Annexure H: The video uploaded on Twitter dated January 24, 2023
- Annexure I: The video uploaded on Twitter dated December 11, 2022