



Date: June 12, 2023

To,

1. Mr. Rakesh Ola,
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2. Mr. Rajendra Bhosale,
Police Inspector, Sangamner
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Subject: Complaint against serial hate offender Suresh Chavhanke at an event organized by Sakal Hindu Samaj (SHS) in Sangamner, Ahmednagar on June 6.

Respected sirs,

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 Suresh Chavhanke during an event organized by Sakal Hindu Samaj on June 06, 2023.

Chavhanke, the Editor of Sudarshan News, has been flagged multiple times for either spreading fake or communal news. He thus has a history of running anti-Muslim propagandas on his shows. In his speeches and TV show, the videos of which go “viral” time and again, he can be seen repeatedly provoking and making misinformed claims to the public. We would like to bring your attention to the instigating speech videos, urging you to take stringent action against the perpetrator, time and again since if these hate-driven speeches are left unchecked, the peace and harmony of our country will be affected direly.

Before the said event, on June 4 he even posted a video about it from the Red Fort, Delhi in which he can be heard saying that we are going to stop the “Islamification” of Sangamner city. He can be heard saying, “The state of affairs in Sangamner is quite bad because the city is turning ‘green’, there is Love jihad happening against Hindu girls and Hindus are walking in fear on the streets”.

The video downloaded by CJP is marked and annexed hereto as Annexure A
<https://twitter.com/TeamHinduOrg/status/>

Again on June 5, he posted another video with the caption, “किसी भी हाल में संगमनेर का भगवा मोर्चा हो गाही। सरकार से सहयोग अपेक्षित” [The saffron march is going to happen at any cost and we expect cooperation from the Government]. In the said video, he can be heard saying, “I have seen some WhatsApp forwards saying that we do not have police permission for our rally. But this is a rumour. Basically



we do not need permission for such events. When they molest our sisters, they do not take permission. So we do not need permission to speak up against this. The morcha will happen at any cost.”

Both the videos were posted from his personal accounts.

The video downloaded by CJP is marked and annexed hereto as Annexure B
<https://twitter.com/SureshChavhanke/status/>

At the rally, he says that there are multiple benefits (for Muslim women) in marrying a Hindu man like they will be the only wife, “There will no *hum char hamare chawalees*” [There will be no four of us, and 44 children]; there will be no circumcision of the child; they will not be divorced through Triple Talaq; and will not have to wear a Burqaa in 48 degrees.

He then made a claim without any evidence and said, “Ever since I have shown the benefits of marrying Hindu men, 10 lakh Muslim women have married Hindu men.”

We would like to state here that what we have accessed is only a snippet of his speech and his actual speech is much longer and surely he has made some instigating and provoking statements in his entire speech.

The video downloaded by CJP is marked and annexed hereto as Annexure C
<https://twitter.com/HindutvaWatchIn/status/>

After the event, videos were posted by a twitter account showing a mob carrying saffron flags and wearing saffron caps and entering an eatery named ‘Hotel Lucky’. The mob can be heard saying slogans of “Jai Bhawani, Jai Shivaji.” In another video it can be seen how packets of food were lying on the floor and the place was completely ransacked and a police officer was inspecting the damage caused to the eatery. In another video (though unclear if it is from Sangamner or not), the policemen are trying to control a mob of 20 men who pelted stones even in the presence of the police.

The videos have been downloaded by CJP and are marked and annexed hereto as Annexure D
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https://twitter.com/s_afreen7/status/1666128558111043608/video/2

https://twitter.com/s_afreen7/status/1666128558111043608/video/3

https://twitter.com/s_afreen7/status/1666128558111043608/video/4

Sir, it is important to note that this is not the first time that Chavhanke delivered such a communally sensitive speech in Maharashtra. We at CJP, have regularly tracked his speeches and he has attended and spoken at around multiple such events in Maharashtra between January ‘23 to May ‘23. 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.

Previous hate speeches by Chavhanke

1. Shirampur, Ahmednagar- May 17

At the event, Chavhanke can be heard boasting about the fact that there are FIRs registered against him but no one takes any “real” action. In addition to hurting the sentiments of the Muslim community, he can be heard mocking the Maharashtra police force and belittling them. He added, “there are 1826 FIRs filed against me, even Dawood did not have so many FIRs against him. Recently, Atiq Ahmed was killed in UP, and the news was showing the number of FIRs filed against Atiq, his children, his wives and his entire family. After this news came out, a law minister called me and said that the total number of FIRs filed against Atiq and his whole family were 180, which constitutes a mere 10% of the total FIRs against me.”

2. Nashik, Maharashtra- March 22

At the event, at Anant Kahere Maidan on the day of Hindu New Year, Chavhanke addressed a large gathering at a ‘Hindu Hunkar Sabha’. He made baseless claims that Christians are converting Adivasis and further added that the biggest obstacle in rescuing a girl from *Love Jihad* is the girl herself because she has not been taught by her parents that wars in Ramayan and Mahabharat were fought for protecting the women. You should give *Sanskar* to your children. Every statement made by him constituted at least one offence under the Indian Penal Code.

3. Ahmednagar- February 7

At the said event, Chavhanke said that he took an oath in Delhi and due to that “*uske baad Delhi ke Kath-Mulle (derogatory term used for Muslims) jaage bonghe, Unhone kaha Suresh Chavhanke par FIR karo.*” [after that, the Muslims of Delhi woke up, and said that an FIR needs to be filed against Suresh Chavhanke. In the mentioned oath, we said that we will be sacrificed if the need arises, and will also make sacrifices if there is a need.]

4. Ahmednagar- January 29

At the said event, he can be heard saying “What should we go for? Let’s go for Hindu Rashtra.” “Every rupee offered on a white sheet will arrange for your white shroud, be careful.” He also attacked the Apex Court because a complaint was filed by the Delhi Police on the court’s direction. He said, “Who is saying this? This is being said in the Supreme Court of the country. Is it a crime to take the oath of establishing a Hindu nation?”

“Delhi Police was put under pressure by the Supreme Court. I know what it is to speak against a judge. But the king has taught us – however big the wrongdoer may be, we should speak against them”

He claims that the FIR was filed against him only under the court’s pressure. He said, “an FIR has been filed against me. The police first reported that in our oath, we have not named Muslims anywhere. But still the police did it again under the pressure of the court.”

“it is unfortunate that the judicial system of our country has said such things against a Shiv worshipping patriotic journalist like me. After this, we decided that taking the oath once has been declared a crime, so we will take it again and again.”

There are multiple such incidents of hate speeches by Suresh Chavhanke not only from Maharashtra but also from Delhi, Haryana and his news channel. In the situations where the Police lodges a complaint against him after a direction from the Supreme Court, he tries to undermine the Apex

Court's position. He is repeatedly given a platform to make such derogatory statements against the minorities of the country and the Constitutional authorities.

Such videos repeatedly go viral on social media as he has a huge following and these platforms 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 speeches of Chavhanke clearly reflect that he does not fear the rule of law. He brags about the fact that he has many FIRs against him but no action has been taken by the police. It is pertinent to note that he provides no data for his claims and goes on to provoke the audience with his misinformed claims. He even boasts that he does not need police permission to carry out his rallies which is an open challenge to the law and order being so diligently maintained by the police. It is only after his speech that disturbances to public order were reported in Sangamner, yet Chavhanke was allowed to carry out his rally. He has, in the past, as well made hate speeches in Ahmednagar (exact location not known) and CJP has even complained to the SP about the same on February 6.

The latest event is the proof that his speeches provoke people, leading them to attack places and even pelt stones (unverified).

The wider social climate of threat, fear, violence and intimidation created by such speeches and mobilisations threatens everyday normal life, especially threatens women in general and men and women from religious minorities in particular. It is the very nature of the beast, large hysteric mobilisations such as these fired by speeches of this kind that then seek to justify violent attacks on the very sections and communities who are the target of stigma and demonization.

Given this background, it is both urgent and essential that the speech given by Suresh Chavhanke is acted upon and criminal charges 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 previous complaints against Suresh Chavhanke

It is pertinent to note that this is not the first time Chavhanke made such troubling and Islamophobic comments. CJP has been actively reaching out to the district and state authorities as well with respect to taking action against Chavhanke. On February 06, 2023 we had also filed a complaint to the Ahmednagar SP and the DGP of Maharashtra regarding his Islamophobic and hate filled speech in which he also targeted the Supreme Court and the Delhi Police.

On May 19, 2023 CJP complained to Police Inspector Shrirampur and SP Ahmednagar regarding his hate speech at an event organized by Rashtriya Shri Ram Sangh where he used Chatrapati Shivaji Maharaj in his instigating speech.

In September, 2022 CJP had also complained to the National Commission for Minorities for his Islamophobic remarks at a rally on September 04, in Haryana. In the said speech, he was instigating Muslim women to marry Hindu men. He shared several advantages of marrying Hindu men like no

circumcision for the kids, they won't have to face Talaq, they will become baby factories among others.

It is especially perturbing that even after rigorously complaining to various authorities, hate offenders like Suresh Chavhanke are able to deliver hate speeches in the state of Maharashtra. Chavhanke tops all the hate speeches that took place in Maharashtra, and has given the maximum number of hate speeches in Maharashtra under various banners such as Sakal Hindu Samaj, VHP, Bajrang Dal, and Rashtriya Sri Ram Sangh, all of which propagate an extremist and divisive ideology.

Ongoing FIRs against Chavhanke

The details of the FIRs filed against Chavhanke:

S. No.	Name of the offender	District	FIR Date	Police state at which FIR was filed	Sections
1.	Suresh Chavhanke	Jalgaon, Maharashtra Date: December 25, 2022	May 09, 2023	Jilhapeth Police station	FIR under IPC section 295, 504; under IT Act section 67; provisions of SC/ ST Act
2.	Suresh Chavhanke	Chattarpur-Sambhajinagar (formerly 'Aurangabad', Maharashtra) Date: March 19, 2023	March 20, 2023	Kranti Chowk Police Station	FIR under IPC section 153A
3.	Suresh Chavhanke	Delhi Date: December 19, 2021	May 04, 2022	South East Delhi	FIR under IPC section 153A, 295A, 298 and 34

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. Additionally, after his June 2023 speech, the effects of such communal speeches were seen in Sangamner. Such hate speech that is illegal and unconstitutional amounts to being offence under the 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

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

Circulars issued by DGP Maharashtra in February 2023 and May 2023 urging strict action on Hate Speech

In Circular No. DGP 20/ Petition No.940/ 2022/54.2023. issued by Dr Suhas Warke,(Spl. Inspector General of Police (L&O) for The Director General of Police M.S., Mumbai), dated February 2, 2023, the Supreme Court order dated January 13, 2023 has been highlighted where the court had asked the police to ensure that as and when any speech which attracts offences such as Sections 153A, 153B and 295A and 505 of the IPC take place, suo moto action is taken if no complaint is forthcoming.

The circular had directed all Unit Commanders to follow the Supreme Court order.

The Circular No. DGP/20/Petition No. 940-2022/54/2023 issued by Dr Suhas Warke,(Spl. Inspector General of Police (L&O) for The Director General of Police M.S., Mumbai), dated April 3, 2023, entails “measures to be taken to maintain law and order due to agitations, morchas, speeches etc.”

It gives detailed instructions on what steps are to be taken when any morchas are to be held:

2. All the Unit Commanders should hold a meeting with the concerned organizers before such a morcha and fix the route of the morcha with appropriate terms and condition. A combined meeting of all social groups should be taken to convey clearly to all that they should maintain peace and keep law and order during the morcha. Preventive action against Anti-social elements should be taken. Those elements who help in maintaining peace and harmony should be encouraged. Audio Video recording of the morcha should be done. Police Head Quarters should ensure adequate supply of equipments, like Lathi, Helmets, etc. to police men deployed for morcha bandobast. If any law and order situation arises, offences should be registered immediately and arrest should be made. Intelligence machinery should be activated to collect advance information about morcha, agitation and efforts should be made to pre-empt any communal incidents.

Recent Directions of the Supreme Court on Events after they Occur/are allowed:

On April 28, the Supreme Court, in a significant development, the Supreme Court extended the application of its October 2022 order (which directed the Delhi, Uttar Pradesh and Uttarakhand Police to take suo motu action against hate speech cases) to all States and Union Territories.



So now, all States/UTs, including Maharashtra, are enjoined and bound to take suo motu action to register FIR against hate speeches, without waiting for any formal complaint. The bench comprising Justices KM Joseph and BV Nagarathna said the following:

"Respondents (states) shall ensure that immediately, as and when any speech or any action takes place which attracts offences such as Section 153A, 153B, 295A and 506 of IPC etc, without any complaint being filed suo motu action be taken to register cases and proceed against the offenders in accordance with law. Respondents will issue directions to the subordinates so that appropriate action can be taken at the earliest. We further make it clear that such action be taken irrespective of the religion of the maker of the speech, so that the secular character of Bharat as envisaged by the Preamble is preserved."

A copy of the Supreme Court order dated April 28, 2023 has been marked and annexed hereto as Annexure E

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 is marked and annexed hereto as Annexure F

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, 2023 by the Sakal Hindu Samaj, another extremist fringe Hindutva group. 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 aswell. The apex court had thus sought a video of the entire event to be scrutinised by the court at the next hearing. The court has also taken an undertaking from the 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."

A copy of the Supreme Court order dated February 3, 2023 is marked and annexed hereto as Annexure G

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 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.

Sakal Hindu Samaj has had a history of inviting serial hate speakers to deliver hate speeches in the Ahmednagar area. The agenda behind organising this event was to spread the far-right divisive ideology, and instigate people against the Muslim community, and the said objective was achieved given the hate-ridden and provocative speeches delivered, calls for violence made, consistent with the recent track record of the organisation and the “principles” that they stand for. It is essential that the organisers of the said event are also charged and prosecuted.

Sir, it is said that words are mightier than a sword and it is quite clear that Suresh Chavhanke has no fear of the law and the law enforcement authorities, or the judiciary, the judges, and their orders. He has openly taunted the police authorities. It is essential that an example is set in this case, and the police makes it their goal to take fast-tracked action against him. In the speech above, it is apparent that Chavhanke uses clear words and instigates the audience to use force and violence against the minorities, especially the Muslim minority. His modus operandi was clear. He started to post tweets before the incident to attract attention for his event. Further, the ripple effects of his speech clearly reflect that his words hold power to instigate the mobs and lead up to crimes. Thus, it has become crucial that a step more stringent than just filing of the FIR is done by the police, and that stringent action be taken against Chavhanke, holding him responsible for the inflammatory statements made by him, as well as the misinformation spread by him.

Sir, 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. Furthermore, this was spoken at a public event and this speech has reached not only the audience at the event but also all those who may have seen these videos on their mobile phones, by the medium of social media. How large and wide the reach of social media can be, we are sure you must be aware. The consequences of such an inflammatory speech could have been worse.

Measures that Police is statutorily bound to take when Speakers & Organisers have a record of Provocative Hate Speech:

We are sure that the Police is aware of a slew of directives that the Hon’ble Supreme Court has issued time and again for effective prevention of social disharmony, hate crimes and communal violence.

These include:

In *Mohd. Haroon and others v. Union of India and another* (2014) 5 SCC 252, it has been clearly held that it is the responsibility of the State Administration in association with the intelligence agencies of both the State and the Centre to prevent recurrence of communal violence in any part of the State. If any

officer responsible for maintaining law and order is found negligent, he/she should be brought within the ambit of law.

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.”

In the case of *Tehseen Poonawalla v UOI and ors (2018) 9 SCC 501* the Supreme Court held that, it is the responsibility of the States to prevent untoward incidents and to prevent crime. The court further given specific directions for the police to adopt preventative measures, in which a senior police officer, not below the rank of Superintendent of Police, shall work as Nodal Officer in each district. Such Nodal officers were then directed to constitute a special task force so as to procure intelligence reports about the people who are likely to commit such crimes, as mob violence and lynching, or who are involved in spreading hate speeches, provocative statements and fake news.

In addition to this, the Nodal Officer, along with the Station House officers, have been directed totake steps to prohibit instances of dissemination of offensive material through different social media platforms or any other means for inciting tendencies leading to mob-violence and lynching.

The court further said,

17. There can be no shadow of doubt that the authorities which are conferred with the responsibility to maintain law and order in the States have the principal obligation to see that vigilantism, be it cow vigilantism or any other vigilantism of any perception, does not take place. When any core group with some kind of idea take the law into their own hands, it ushers in anarchy, chaos, disorder and, eventually, there is an emergence of a violent society. Vigilantism cannot, by any stretch of imagination, be given room to take shape, for it is absolutely a perverse notion... No one has the authority to enter into the said field and harbour the feeling that he is the law and the punisher himself. A country where the rule of law prevails does not allow any such thought. It, in fact, commands for ostracisation of such thoughts with immediacy.

20. Hate crimes as a product of intolerance, ideological dominance and prejudice ought not to be tolerated; lest it results in a reign of terror. Extra judicial elements and non-State actors cannot be allowed to take the place of law or the law enforcing agency. A fabricated identity with bigoted approach sans acceptance of plurality and diversity results in provocative sentiments and display of reactionary retributive attitude transforming itself into dehumanisation of human beings. Such an atmosphere is one in which rational debate, logical discussion and sound administration of law eludes thereby manifesting clear danger to various freedoms including freedom of speech and 4 expression. One man's freedom of thought, action, speech, expression, belief, conscience and personal choices is not being tolerated by the other and this is due to lack of objective rationalisation of acts and situations’.



In the case of *Amish Deygan 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 criminalises written or spoken words. Further, criminalisation 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.”

We are not sure if the event was videotaped by the Commissioner of the Police as per the orders of the Supreme Court. However, from the videos available online it can be clearly deduced from the provocative and instigating statements made by the speaker at this event that religious minorities of our country are being attacked regularly and anti-Muslim sentiments among the people are being instilled by several organizations such as Sakal Hindu Samaj. In light of this, the Police may invoke any other sections of IPC or provisions of any other relevant law against the speakers and the organisers, in addition to the ones mentioned above, as they may deem fit and necessary in this case.

Therefore, we urge you to take cognizance of the video enclosed herewith, register a case against the perpetrators identified as well as the organizer, and arrest them for the cognizable offences. If the wider public is kept abreast of developments, this would go a long way in re-building faith and confidence in the rule of law in general and a police-citizen relationship in particular.

Sir, do note that we are sending this complaint, by email and registered post, on which we urge you to register an FIR.

In anticipation,

Yours sincerely,

Nandan Maluste, CJP President

Teesta Setalvad, CJP Secretary



List of Annexures

- Annexure A: Copy of video downloaded by CJP
- Annexure B: Copy of video downloaded by CJP
- Annexure C: Copy of video downloaded by CJP
- Annexure D colly: Copy of videos downloaded by CJP
- Annexure E: A copy of the Supreme Court order dated April 28, 2023
- Annexure F: A copy of the Supreme Court order dated October 21, 2022
- Annexure G: A copy of the Supreme Court order dated February 3, 2023