



Date: October 25, 2023

To,

Shri Rajiv Kumar

Chief Election Commissioner

Nirvachan Sadan, Ashoka Road, New Delhi 110001

Email: complaints@eci.gov.in

Phone: 23052220, 23052221

Shri Anup Chandra Pandey

Election Commissioner

Nirvachan Sadan, Ashoka Road, New Delhi 110001

Email: complaints@eci.gov.in

Phone: 23052220, 23052221

CC:

Telangana State Election Commission

1st Floor, DTCP Building, Opp PTI Building

AC Guards, Hyderabad - 500004

E-mail id: sec.telangana@gmail.com , sec-ts@nic.in

Sri Anjani Kumar, IPS

Director-General & Inspector General of Police

Phone: 040-23235170, 23232831, 27852242

Email: dgp@tspolice.gov.in

Subject: T. Raja Singh's communally inflammatory and violent election speech

Respected Ma'am/Sir,

We at Citizens for Justice and Peace (CJP), are writing this complaint against the recent conduct and speeches delivered by BJP (Bharatiya Janata Party) electoral candidate and MLA (Member of Legislative Assembly) Tiger Raja Singh. Singh, who is representing Ghoshmahal constituency of Hyderabad, Telangana, has been a repeat offender of delivering hate speeches and making communally inflammatory remarks. He has also been promoting discrimination based on religion and encouraging the Hindutva supremacist ideology.

Elections to the state of Telangana were announced on October 9. The model code of conduct also came into force on October 9, 2023. The speeches outlined below clearly fall within the period that violates the Model Code of Conduct (MCC).

On October 14, a report of *South First* provided that Singh wrote letters to ten *garba* organisers in Hyderabad, urging for them to restrict the entry to the said *Garba* events exclusively to Hindus. In these letters, he cited the concerns about the incidents of ‘Love Jihad’ taking place at these events and the consequence it may have on the ‘safety of Hindu girls’. As per the report, Singh also reportedly wrote that even the staff, including DJ’s caterers, bouncers, musicians, and lighting personnel etc., should not be permitted near the *Garba* pandals.

As per a report of Newstap, Singh highlighted the daily rise in ‘Love Jihad’ cases in his letter and held the interactions at Dandiya events to be a primary contributor to the same.

“A lot of Love Jihad cases can be seen every day and a huge rise of such Love jihad cases starts from interaction at dandiya events. Navratri Dandiya is a cultural festival of the Hindu religion where we pray to Goddess Durga,” stated the letter.

In furtherance to this, Singh requested the *Garba* event organisers to ensure that all attendees are made to apply tilak at the entrance and verify their identity with Aadhaar cards before being allowed to enter the event. “I urge the organisers to ensure that a tilak is kept on the forehead of everyone who enters the event at the entrance, by the organisers’ team. Check the Aadhaar card of the people who are entering the event. Do not allow people of other communities who are involved in Love Jihad. Make sure that the bouncers belong to the Hindu community only. Our motto is just to save Hindu sisters from love jihad cases.”

He also urged to employ of a team of at least 100 Hindu *karyakartas* (workers) would be deployed at the events and if any entry (of “Love Jihadis”) is noticed, they would take necessary steps to prevent it. "A team of 100 Hindu karyakartas will be present in your event (via valid tickets), and if any such entry (of Love Jihadis) is noticed, they will take necessary steps to prevent it (which may spoil your event). So, please ensure that only Hindus are permitted to attend your event so that it is a success for you as well, " Singh had said as per the report.

The article of South First dated October 14, 2023 has been attached and annexed hereto as Annexure A

The article of Newstap dated October 14, 2023 has been attached and annexed hereto as Annexure B

In addition to sending the aforementioned letter to the Garba groups in Hyderabad, two videos of Singh targeting the Muslim community and fanning anti-Muslim sentiments amongst Hindu community also surfaced on ‘X’ (formerly known as Twitter). Both the videos have been uploaded on the account of Hinduvta Watch on October 18.

In the first video, Singh can be seen and heard delivering a speech in Surat, Gujarat. He can be heard making anti-Muslim statements and promoting his divisive ideology. On October 16, at an event reportedly organised by Sanatani Sena, Singh made the following speech, ***“But, our garba and dandiya are being eyed by some people, some anti-Dharma people, which we should be vigilant about. Whose programme or temple is this? All are Hindu here right?”*** The crowd replies yes. ***“Then what are ‘ghair-Hindus’ doing here? Do we ever go to their programmes? But these people run a conspiracy by donning the tilak, wearing the Kalawa, and come and make our sisters and daughters victims of ‘Love Jihad.’”***

A similar speech was delivered by Singh in another *Garba* event in Surat. The date of the same is unclear. Through the said speech, he peddled a similar call for banning the entry of Muslims at Garba events and spread anti-Muslim conspiracy theories. Creating the fear of Muslims boys targeting Hindu women, he raised calls of violence against Muslims. Singh can be heard urging the Hindu women to ***“beat non-Hindus with their Sandals”***.

The clipping of the videos available on ‘X’ and downloaded by CJP has been attached and annexed hereto as Annexure C1 and Annexure C2

It is also essential to highlight here that on Monday, October 18, an alleged ‘ruckus’ arose in Hyderabad at a *garba* event. A report by *The Siasat Daily* alleged that the Bajrang Dal created an issue that a Muslim man had entered the celebrations to engage in ‘love jihad’ at the annual Navkar Navratri Utsav at the Begumpet Hockey Stadium in Hyderabad. According to the report, a video was circulated of the mob at the event by BJP’s legal cell member, Advocate Neelam Bhargava Ram, who even referenced T Raja Singh in his statement on ‘X’. The man accosted by the mob was allegedly handed to the police. However, when *Siasat.com* reached out to the Begumpet police station, they said no such man has been handed over to them. The organisers of the event have stated that there is strong possibility a business rivalry against them which is why their event was targeted.

The article of The Siasat Daily dated October 19, 2023 has been attached and annexed hereto as Annexure D

Respected Ma’am/Sirs, these speeches delivered and letters sent by BJP MLA and electoral candidate T. Raja Singh are a clear case of hate speech and aimed at instigating disaffection, spreading misinformation, peddling conspiracies and promoting violence against religious minorities. Promoting enmity between different communities/faiths, raising calls for violence and spreading misinformation to gain votes are in blatant contravention of election laws and the Model Code of Conduct, the principle of voluntary, free and fair elections and amount to corrupt practices from a man in a politically powerful position.

Through his speech, he has openly uttered words that defy the laws established and has the potential to impact on the safety of the minority community of Muslims living there as well as result in another incidence of communal violence. His speech also stands in violation of all equality and non-discrimination provisions (secular and democratic values) enshrined in the Constitution

of India and also amounts to the offences defined as “corrupt practices” under the Representation of the People Act, 1951. **(Section 123, detailed below).**

Through the carefully calculated words uttered by Singh, along with the show of impunity, there is a clear intention to promote anti-Muslim sentiments, violence, religious fanaticism and spread anti-minority divisive ideology amongst the religious majoritarian communities. Sir, it is pertinent to highlight here that only last year, this vitriolic campaign against prohibiting Muslim men from participating in *Garba* festival had resulted in a series of attacks against them by certain fringe elements. Incident of discrimination, selective targeting and violence had been reported from Navratri festivities in Indore in Madhya Pradesh, Ahmedabad in Gujarat and Akola in Maharashtra in the year 2022. It is crucial to highlight that only a few days ago, the Gujarat High Court had held four police officers of Gujarat guilty of abusing their power by publicly flogging five Muslim men in Gujarat. The said incident had resulted from a communal clash that had taken place during a *Garba* event in Kheda.

Ma’am/Sir, by uttering these words, Singh has attempted to promote such attacks that are based on systematic and crude religious profiling and also shamefully demonized a whole community as potential trouble-makers, as harassers of women, as 'love jihadists'. It is further crucial to emphasize there these harmful claims made not backed by any research or numbers. Weaponising violence against women and spreading misinformation regarding it amounts to an assault on the dignity of women as well as goes against the ethics and values promoted by the Constitution of India.

Ma’am/Sirs, India is a secular country. Any statement that promotes boycott and discrimination on religious lines infringe upon the fundamental rights guaranteed to every citizens of India. It is important that defamatory and misleading statements, especially of this stature, are not made by leaders. It is necessary that these brazen violative acts are evaluated and acted upon for what they are, not individual misdemeanours but concerted attempts to not only vitiate the social and political atmosphere but also to intimidate voters as well as tempt them into indulging in a practice antithetical to the values promoted by our Constitution.

Furthering ideas of division and ostracization to appease the majoritarian community through false and manipulative narratives during electoral times while also pitying them against the Muslims by raking the bogey of ‘Love Jihad’ should not be left unchecked. This clear-cut example of sectarian politics and specific target of the Muslim community echo the current unsafe environment of the country and concerted efforts should be made to ensure that are elections remain free from it.

It is urgent and essential that these statements condoning and promoting discrimination and violence against minority communities are taken strict action upon. The fatal gigantic waves of Islamophobia are being created based on relentless accusations and fake news that is being circulated day in and day out by leaders in power. If such speeches are left unchecked might raise serious questions of allegiance of the party that the Singh belongs to with the Indian Constitution and in fact are evidence of a blatant breach.

Revocation of suspension of T. Raja Singh

On October 22, 2023, a statement was released by the BJP reinstating Singh and revoking his suspension. As per the statement of the party, Singh's reply and explanation to the show cause notice issued to him was considered by the Central Disciplinary Committee, on the basis of which Singh's suspension was revoked by them.

The said suspension had been a result of the aforementioned remarks made by Singh against Prophet Mohammed in August 2022. According to the suspension letter issued by the party in August 2022, the reason for his suspension was cited as 'Rule XXV' of the party's constitution, which says that the 'parliamentary board' ... 'has the authority to take note of any breach of discipline by members.' The letter had also specified the event or statement which was breached.

A show cause notice had also been issued to him on August 23, 2022. As provided in a report of Scroll, Singh had written a response to the notice issued to him while incarcerated in jail. In his reply to the secretary of the BJP disciplinary committee Om Pathak, Singh had promised not to do anything that brought disrespect to the party. He had further alleged that he had 'never criticised Muslims', and he was only imitating comedian Munawar Farooqui. He had written, ***"Since the word 'Muslim' is part of Majlis-e-Ittehadul Muslimeen, they are alleging that I am criticising the entire Muslim community. But I have never criticised the Muslim community. I have never made personal comments against them. I, on every occasion, have been exposing the MIM atrocities and its staunch supporter, the TRS [Telangana Rashtra Samithi]."***

The article of Scroll dated October 22, 2023 has been attached and annexed hereto as Annexure E

Sir, as can be seen from the statements made by Singh in his speeches at the *Garba* event, *after the Model Code of Conduct (MCC) came into force*, there is no truth to the promises made by him in his response to the show cause notice.

Legal Violations

Model Code of Conduct

The Telangana elections will be held on November 30, 2023. Notably, the Model Code of Conduct came into effect in the state on October 9, 2023. The letter sent and speeches delivered by Raja Singh stand in violation of the following sections of Code of Conduct:

I. General Conduct

- (1) No party or candidate shall include in any activity which may aggravate existing differences or create mutual hatred or cause tension between different castes and communities, religious or linguistic.

(3) There shall be no appeal to caste or communal feelings for securing votes. Mosques, Churches, Temples or other places of worship shall not be used as forum for election propaganda.

(4) All parties and candidates shall avoid scrupulously all activities which are “corrupt practices” and offences under the election law, such as bribing of voters, intimidation of voters, impersonation of voters, canvassing within 100 meters of polling stations, holding public meetings during the period of 48 hours ending with the hour fixed for the close of the poll, and the transport and conveyance of voters to and from polling station.

In ECI letter No. 437/6/INST/2013/CC&BE, dated 28.11.2013 addressed to the President/General Secretary of all recognised National and State Political Parties, had made note of plummeting levels of political discourse witnessed during the ongoing election campaign for the 5 State Assembly elections, namely Chhattisgarh, Madhya Pradesh, Mizoram, Rajasthan and Delhi and mentioned that it had received a tide of complaints indicative of:

- (a) Mouthing of provocative and inflammatory statements calculated to cause mutual hatred, disharmony or ill will,
- (b) Use of intemperate and abusive language transgressing the limits of decency, and
- (c) Attacks on the personal character and conduct of political rivals, in utterances & through posters/hoardings, tend to incite mutual hatred, disharmony or ill-will and aggravate the differences between different political parties and classes of citizens on the grounds of religion, caste, community, etc., and which the Model Code of Conduct dissuades from being resorted to.

Representation of People Act, 1951

Raja Singh stands in violation of the following sections of the Act:

123. Corrupt practices—The following shall be deemed to be corrupt practices for the purposes of this Act: —

(3) The appeal by a candidate or his agent or by any other person with the consent of a candidate or his election agent to vote or refrain from voting for any person on the ground of his religion, race, caste, community or language or the use of, or appeal to religious symbols or the use of, or appeal to, national symbols, such as the national flag or the national emblem, for the furtherance of the prospects of the election of that candidate or for prejudicially affecting the election of any candidate

(3A) The promotion of, or attempt to promote, feelings of enmity or hatred between different classes of the citizens of India on grounds of religion, race, caste, community, or language, by a candidate or his agent or any other person with the consent of a candidate or his election agent for the furtherance of the prospects of the election of that candidate or for prejudicially affecting the election of any candidate.] 8[(3B) The propagation of the

practice or the commission of sati or its glorification by a candidate or his agent or any other person with the consent of the candidate or his election agent for the furtherance of the prospects of the election of that candidate or for prejudicially affecting the election of any candidate.

Explanation—For the purposes of this clause, “sati” and “glorification” in relation to sati shall have the meanings respectively assigned to them in the Commission of Sati (Prevention) Act, 1987 (3 of 1988).

125. Promoting enmity between classes in connection with election. —Any person who in connection with an election under this Act promotes or attempts to promote on grounds of religion, race, caste, community or language, feelings of enmity or hatred, between different classes of the citizens of India shall be punishable, with imprisonment for a term which may extend to three years, or with fine, or with both.

Indian Penal Code

The following offences under the IPC are applicable to the speeches made by Raja Singh: 153A, 153B, 171C, 295A, 505(2)

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

153B. Imputations, assertions prejudicial to national integration

298. Uttering words, etc., with deliberate intent to wound religious feelings

505. Statements conducing to public mischief

505. (2) Statements creating or promoting enmity, hatred or ill-will between classes

Grounds for the present complaint

Sir, our objective behind highlighting the statements made by Singh in the past is to depict that he is a repeat offender who spreads consistently indulges in making statements that are violent in nature, usually aimed at gender and religious minorities, and are adverse to the values of a secular, socialist and democratic country.

The Hon’ble Election Commission may seriously consider, apart from issuing a notice to this individual candidate, to also issue a notice **to the state and national party in chief of the Bharatiya Janata Party (BJP) as this conduct of one of its own elected representatives puts a responsibility on any party that participates in elections held under the mandate of the Indian Constitution to honour and follow its mandate as laid down in both the Preamble and Fundamental Rights (Chapter III).**

Jurisprudence:

In **Abhiram Singh v. C.D. Commachen (Civil Appeal No. 37 of 1992; decided on January 2, 2017)**, a 7-judge bench decided whether the word 'his' under section 123(3) pertained to the identity of the candidate or his rival only (literal interpretation), or also extended to the identity of the voter/s (purposive interpretation). By a 4:3 margin, the court upheld the purposive interpretation of 'his' and thus proscribed any appeal pertaining to the identity of the candidate, his rival or the voter. This meant that electoral appeals to voters based on their religion is a "corrupt practice" which can result in declaring the election of the candidate as void and further disqualification for a period of six years.

Justice T.S. Thakur in his concurring judgment said,

"The State being secular in character will not identify itself with anyone of the religions or religious denominations. This necessarily implies that religion will not play any role in the governance of the country which must at all times be secular in nature. The elections to the State legislature or to the Parliament or for that matter or any other body in the State is a secular exercise just as the functions of the elected representatives must be secular in both outlook and practice. Suffice it to say that the Constitutional ethos forbids mixing of religions or religious considerations with the secular functions of the State."

In **Ziyauddin Burhanuddin Bukhari vs Brijmohan Ramdass Mehra 1975 SCR 453**, the Supreme Court held thus,

"As already indicated by us, our democracy can only survive if those who aspire to become people's representatives and leaders understand the spirit of secular democracy. That spirit was characterised by Montesquieu long ago as one of "virtue". It implies, as the late Pandit Jawaharlal Nehru once said, "self-discipline". For such a spirit to prevail, candidates at elections have to try to persuade electors by showing them the light of reason and not by inflaming their blind and disruptive passions. Heresy hunting propaganda on professedly religious grounds directed against a candidate at an election may be permitted a theocratic state but not in a secular republic like ours. It is evident that, if such propaganda was permitted here, it would injure the interests of members of religious minority groups more than those of others. It is forbidden in this country in order to preserve the spirit of equality, fraternity, and amity between rivals even during elections. Indeed, such prohibitions are necessary in the interests of elementary public peace and order."

It further held,

"Therefore, candidates at an election to a legislature, which is a part of "the State", cannot be Allowed to tell electors that their rivals are unfit to act as their representatives on grounds of their religious professions or practices. To permit such propaganda would be not merely to permit undignified; personal attacks on candidates concerned but also to allow assaults on what sustains the basic structure of our Democratic State."

The above-mentioned are merely excerpts of some of the landmark judgements of the Supreme Court which run into pages and emphasize on upholding of secular character of the Constitution while holding that candidate for elections must at all costs avoid using any language that appeals to religion or that is against any religious community

Earlier Violations of Model Code of Conduct in Previous Elections

It is crucial to highlight here that on May 8, 2023, during the recently concluded Karnataka state polls, CJP had filed a complaint with the State Election Commission (SEC), Karnataka against the then suspended Singh, for delivering anti-Muslim hate speeches and making communal remarks at election campaigns for BJP leaders on two instances. In his speeches, given at two separate events, the speaker had made misinformed and offensive claims against the minority community, made religiously derogatory and communal statements. During the first instance, Singh was addressing a crowd at a rally organised for BJP Candidate Shri Rajkumar Patil in the Sedam Assembly Constituency of Karnataka. He had targeted the Muslim community and said, ***“A lot of the people say that the Muslims will not vote for Modi in these elections. To those Muslims, I want to just remind them that this is the same Modi that has saved the honour of your sisters and daughters by banning Triple Talaq in India. Before Modi had brought in the issue of Triple Talaq, your sisters and daughters had to suffer through Halala. You should be grateful that he saved you honour.”***

The video can be accessed here:

<https://twitter.com/HindutvaWatchIn/status/1655431621011464192>

During the second instance, while speaking in a rally in support of BJP candidate Eshwar Singh Thakur, Singh created fear in the minds of the Hindu audience with the agenda of getting votes and said, ***“If the Congress comes in Karnataka, they will give full autonomy and freedom to the PFI. If the PFI comes back to Karnataka, then understand this, the Hindus will not remain safe, no one will remain safe. Our mother cow will be openly slaughtered then, they will commit Love-Jihad and Land-jihad, if the PFI comes back after the Congress wins. Understand this, if all this happens, whoever works for the Hindutva cause or calls themselves a Hindu, there will be a great risk for them.”***

The video can be accessed here:

<https://twitter.com/HindutvaWatchIn/status/1655433223193632768>

Prior to this, around February 15, 2022, a video showing Singh threatening Uttar Pradesh’s Hindu voters with dire consequences if the Adityanath-led BJP government is not re-elected, had surfaced on social media. During the said speech, Singh was heard warning the voters that if they do not vote for a “Yogi-government” then their houses will be identified and destroyed with bulldozers

and JCBs. He had said, *“To those who do not vote for Bharatiya Janata Party, I want to tell them that Yogi ji has ordered JCBs and bulldozers in thousands. These have already left for Uttar Pradesh. After the election, the areas of each person who did not support Yogi ji will be identified. And you know right what JCBs and bulldozers are used for? So, I want to say this to those traitors of Uttar Pradesh who do not want that Yogi ji becomes the Chief Minister again – beta (child) if you want to live in Uttar Pradesh then you have to say ‘Yogi-Yogi’ (support Yogi), otherwise you people will have to run out of Uttar Pradesh.”*

The video can be accessed here:

<https://twitter.com/umashankarsingh/status/1493853014645358593>

Background of T. Raja Singh (antecedents)

Singh had been granted conditional bail by Telangana High Court on November 9, 2022, and has more than 100 FIRs and cases filed against him. The Goshamahal BJP MLA Raja Singh had arrested in August 2022 for allegedly making offensive remarks about Prophet Mohammed. Singh was released by a division bench of the High Court, comprising of Justice Annireddy Abhishek Reddy and Justice Juvvadi Sridevi, after having conditions imposed on the bail granted to him. As per conditional bail, he had been prohibited from making provocative comments, anti-minority speeches, or sharing offensive posts on social media sites like Facebook, Twitter, and WhatsApp, as well as in print or electronic media. The division bench had also prohibited the then suspended BJP MLA from holding celebratory rallies or meetings upon his release, as well as from addressing the media. But, in complete defiance of the bail condition imposed on him and in a blatant contempt of court, as evidenced from the speeches delivered above, that Singh has been addressing huge crowds and openly targeting the Muslim community as well as creating fear in the minds of those belonging to the Hindu community with an attempt to polarize the crowds.

On multiple occasions, Raja Singh has given speeches spreading his partisan and communal ideology by moulding the history of the India, colouring all the Muslims as anti-India, and accusing them of committing various anti-Hindu offences like illegal cow slaughter, forceful conversions, illegal land capture, and “love-Jihad”, as was done by him in the above-mentioned speeches. Speeches that have the potential to harm the peace and harmony have been charged as hate speeches, and even the Supreme Court have issued directions to take action against such speeches. Hence, it is the duty of Election commission of India as well as the State Election Commission to ensure that such acts attract the necessary penalties.

Ma’am/Sir, the videos that depict the speeches of T Raja Singh are available in the links provided in the text of this complaint. The actual videos have not been annexed here but are available for CJP and can be sent by us on request.

A separate document containing the previous hate speech violations and extracts of hate speeches delivered by MLA T Raja Singh has been attached an annexed hereto as Annexure F

Prayers:

Notably, on October 5, 2023, the Chief Election Commissioner Rajiv Kumar himself had stated that the Election Commission is fully committed to delivering free, fair, transparent, and inducement-free elections.

Sirs, targeting a religious minority, instigating communal violence, promoting discrimination and declaring unconstitutional diktats hampers the efforts made by the Hon'ble commission to ensure that religion does not enter the arena of politics.

Sirs, as citizens and civil rights groups, committed to maintaining harmony and social peace, we therefore urge that adequate action is taken under the law against these violations of laws. We humbly pray, that

- The ECI takes cognisance of this serious violation of the Model Code of Conduct and Representation of People Act, 1951.
- We pray that you take strict action against BJP MLA and electoral candidate Raja Singh and pass necessary strictures him.
- We also pray that the Commission directs Singh to issue an unconditional public apology and retraction for his utterances in Gujarat.
- Furthermore, we urge the Commission to bar Singh from making any electoral speeches in any of the poll-bound states.
- Any other action necessary, including a public reprimand by the esteemed Election Commission, may also be taken by the Hon'ble Commission.

Yours sincerely,

Nandan Maluste, President

Teesta Setalvad, Secretary

List of Annexures:

Annexure A: A copy of the article of South First dated October 14, 2023

Annexure B: A copy of the article of Newstap dated October 14, 2023

Annexure C1 and C2: A copy of the clipping of the videos available on 'X' and downloaded by CJP

Annexure D: A copy of the article of The Siasat Daily dated October 19, 2023

Annexure E: A copy of the article of Scroll dated October 22, 2023

Annexure F: Previous Hate Speech Violations by MLA T Raja Singh