



Date: July 16, 2024

To,

**Shri Shirish Sardeshpande**

Superintendent of Police, Solapur

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**Shri Kumar Ashirwad**

Collector and District Magistrate, Solapur

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**Subject: Complaint against BJP MLA T. Raja Singh for delivering a provocative speech at a Sakal Hindu Samaj event in Solapur**

**Respected Madam/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 speech delivered by T. Raja Singh, Bharatiya Janata Party (BJP) MLA from Goshamahal Assembly constituency in Hyderabad, in Solapur, Maharashtra in May 2024. As per the details available, the said speech had been delivered by Singh on May 3 at an event organised by Sakal Hindu Samaj in Solapur, Maharashtra.

Through his speech, he incited the crowd to provoke violence against Muslim community by peddling fake narratives in the name of Jihad, cow slaughter, encouraged mass violence, and created enmity between Hindu and Muslim communities. Additionally, he asked the incited crowd by demonising and slurring the Muslim community.

A Hyderabad resident and MLA from Goshamahal Assembly constituency, T. Raja Singh has been booked multiple times for making inflammatory remarks against Muslims. He has more than 40 criminal cases registered against him, and in 36 of these cases, the offence under IPC Section 153(A) has been invoked. In the past, he has delivered hate speech targeting Muslims and has repeatedly eulogised violence. Thus, he has a history of disturbing the communal harmony of India through his provoking and misinformed statements. We would like to bring your attention to the

instigating speech video that has surfaced from the Solapur event organised by Sakal Hindu Samaj, urging the police officials to take stringent action against the perpetrator to ensure that these hate-driven speeches are not left unchecked, and the peace and harmony of our country is not affected direly.

**Extracts from the Speech:**

“There is this dacoit in Congress named Salman Khurshid, whose niece had asked people to commit vote jihad. Jihad is a form of war. I want to tell these people that there used to be a time when you all had committed lots of Jihad, but that time is now long gone. Now, if you do Jihad, Modi ji will come and shoot you.”

**[Time stamp: 00:20- 00:54]**

“We will not let anyone do any type of Jihad, be it Love Jihad, Land Jihad or Vote Jihad.”

**[Time stamp: 01:00- 01:09]**

“I want to tell all these sons of Aurangzeb that we are not one of those who will let you go, we are one of those who believe in shooting.”

**[Time stamp: 01:27- 01:37]**

“Rahul Gandhi was scared to even touch the statue of Chhatrapati Shivaji in fear of offending these illegal sons of Aurangzeb.”

**[Time stamp: 01:37- 02:04]**

“No Hindu in Kerala is safe; the state of Kerala has become a terrorist factory in India.”

**[Time stamp: 02:56- 03:06]**

“Look what is happening in Bengal, more than 1 crore Rohingyas and Bangladeshi have come to Bengal and are living here, thinking of India as the property of their father. These Rohingyas and Bangladeshi are together attacking the Hindus living in Bengal.”

**[Time stamp: 03:19- 03:40]**

“Through NRC, these Rohingyas, Bangladeshis and Pakistanis who are hiding in many parts of India will be asked to ‘Get out’. Those who will not get out, there will then be a shoot-out in the Yogi (Adityanath) style. After he became the CM, he took up the work on cleaning up the mess and sending the goons to their 72 women of paradise.”

**[Time stamp: 03:40- 04:29]**

“Owaisi said ‘Beef Zindabad’. I want to tell him that I will open a pig shop and then even the pig will say ‘Zindabad’.”

**[Time stamp: 05:10- 05:25]**

The video had been uploaded on telegram channel by Hindutva Watch on May 05, 2024.

The video of the speech has been downloaded by CJP is marked and annexed hereto as **Annexure A**

<https://t.me/hindutvawatchin/366>

Ma'am/Sir, it is important to note that this is not the first time that Raja Singh has delivered such a hate speech in Maharashtra. We at CJP, have regularly tracked the speeches that had been made by him since many years. Even in the 6 months of 2024, multiple incidents of hate speeches being delivered by Raja Singh have come forth, many of which were in Maharashtra.

In the month of January in 2024, Raja Singh had been booked by the Mumbai police for delivering the anti-Muslim inflammatory speech in Solapur rally. Previously, he has been booked by Telangana police on multiple occasions for delivering hate speeches against Muslim community.

In March of 2024, Karnataka police had booked Raja Singh for delivering a speech containing inflammatory remarks against Muslims at an event which was reportedly organised by Janatha Seva Group. At the said event, Singh had used derogatory language while also reportedly encouraging attendees to take a pledge for a "war" against "love jihad and religious conversions." The Gandhi Chowk police had registered an FIR invoking various sections of the Indian Penal Code, including 153, 506, 504, and 505(2).

Ma'am/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 of Maharashtra and urge that urgent steps are taken to curtail and prosecute the same.

Besides, as we are sure you are aware, as the elections to the next Lok Sabha is already announced, apart from Penal Sections of Indian Criminal Law [IPC Sections 153A, 505(1) and 505(2)], the section 123 of the Representation of Peoples Act on misusing religion during electioneering will also come in to play. The atmosphere will be even more volatile and vulnerable for marginalised sections, the minorities.

### **Recent Directions of the Supreme Court on preventing/prosecuting hate speakers in Maharashtra**

As you must know, the issue of rampant hate speech being delivered in Maharashtra and the inaction by law enforcement agencies has been highlighted before the Supreme Court multiple times since 2023. We would 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 as well. 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.”*

Even in 2024 itself, while on January 17, the Supreme Court bench of Justices Sanjiv Khanna and Dipankar Datta had expressed their anguish at the petitioners being forced to approach the Supreme Court multiple times against individuals and organisations even after there being guidelines for tacking and taking action against hate speeches. During the said hearing, the Supreme Court issued an order directing the District Magistrate and Superintendent of Police at Yavatmal, Maharashtra and Raipur, Chhattisgarh to take ‘appropriate steps’ to ensure that no incitement to violence or hate speech occurs at the rallies scheduled in the said districts in the coming few days of January. The said order was passed following the concerns raised by the petitioners over delivery of potential hate speeches at rallies planned by Hindu Janajagruti Samiti and Bharatiya Janata Party legislator T Raja Singh in the month of January.

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

*“We would require the authorities to be conscious that no incitement to violence and hate speech are permissible. The concerned District Magistrates and Superintendent of Police of Yavatmal, Maharashtra and Raipur, Chhattisgarh will take necessary steps, as may be required. If necessary and deemed appropriate, police/ administration will install CCTV Cameras having recording facility, so as to ensure identification of the perpetrators in the event of any violence/hate speech.”*

### **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 equipment's, 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.

### **Action taken against hate speakers and offenders**

Ma'am/Sir, on April 28, 2023 the Supreme Court had held that all States/UTs, including Maharashtra, are enjoined and bound to take suo moto action to register FIR against hate speeches, without waiting for any formal complaint. In its order, the Supreme Court bench comprising Justices KM Joseph and BV Nagarathna had 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 moto 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."*

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. 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.

Besides the Supreme Court we are sure that you are aware that the Bombay High Court is also currently hearing a petition on the hate speeches by another serial offender, Vikram Pawaskar. In the matter, the court has raised questions on the inaction of the police over the FIRs filed against Pawaskar for delivering violent anti-Muslim hate speeches.

### **Laws Violated by the Hate Speech**

### **Under Bharatiya Nyaya Sanhita, 2023**

The inflammatory and divisive speech delivered by Raja Singh amounts to insightful, hate speech which is a punishable offence under the various sections of the Bharatiya Nyaya Sanhita (BNS):

**Section 196** - Promoting enmity between different groups on grounds of religion, race, place of birth, residence, language, etc., and doing acts prejudicial to maintenance of harmony

**Section 197 (1)** - Whoever, by words either spoken or written or by signs or by visible representations or through electronic communication or otherwise,—

*(a) makes or publishes any imputation that any class of persons cannot, by reason of their being members of any religious, racial, language or regional group or caste or community, bear true faith and allegiance to the Constitution of India as by law established or uphold the sovereignty and integrity of India;*

**Section 352** - Whoever intentionally insults in any manner, and thereby gives provocation to any person, intending or knowing it to be likely that such provocation will cause him to break the public peace, or to commit any other offence, shall be punished with imprisonment of either description for a term which may extend to two years, or with fine, or with both.

**Section 353** - (1) Whoever makes, publishes or circulates any statement, false information, rumour, or report, including through electronic means—

*(b) with intent to cause, or which is likely to cause, fear or alarm to the public, or to any section of the public whereby any person may be induced to commit an offence against the State or against the public tranquillity; or*

*(c) With intent to incite, or which is likely to incite, any class or community of persons to commit any offence against any other class or community, shall be punished with imprisonment which may extend to three years, or with fine, or with both.*

### **Under the Indian Penal Code, 1860**

**Section 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.

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

**Section 504** - intentional insult with intent to provoke breach of the peace

**Sections 505 (1) and (2)** - publication or circulation of any statement, rumour or report causing public mischief and enmity, hatred or ill-will between classes.

In view of the same, we urge you to you to take cognizance of the video enclosed herewith, register a case against BJP MLA Raja Singh as well as the organizer Sakal Hindu Samaj, and arrest them for the cognizable offences under the relevant sections.



Sakal Hindu Samaj is an umbrella organization of several Hindutva organizations including Hindu Janajagruti Samiti (HJS), Shiv Pratishtan and Sanatan Sanstha. They regularly organise such events and give platform to those who promote a hard-core divisive and violent ideology in the name of protection of the Hindu religion.

We also wish for you to inform whether the said event had been videotaped by the police officials as per the orders of the Supreme Court. Additionally, we urge the police to keep us abreast of developments and the action taken in this case, based on the relevant section, as 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.

Ma'am/Sir, do note that we are sending this complaint, by email and registered post, on which we urge you to register an FIR if one has not been filed yet.

In anticipation,

Yours sincerely,

Nandan Maluste, CJP President

Teesta Setalvad, CJP Secretary

**Annexures:**

Annexure A- Video of Raja Singh dated May 5, 2024 downloaded by CJP