



Date: July 16, 2024

To,

**Shri Dr. Karanraj Vaghela**  
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**Shri Aayush Sanjeev Oak**  
Collector and District Magistrate, Valsad  
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**Subject: Complaint against hate speech offender and Vishwa Hindu Parishad leader for delivering a provocative speech at an event organised in Vapi, Valsad**

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 and hate-spewing speech delivered by a leader of Vishwa Hindu Parishad in Valsad, Gujarat in May 2024. As per the details available, the said speech had been delivered by the Vishwa Hindu Parishad leader (whose identity can be ascertained from the attached video) on May 26 at the event organised by Vishwa Hindu Parishad at Vapi, Valsad. Through his speech, he propagated disinformation and fake conspiracy theories about Love Jihad and religious conversion, promoted enmity between Muslims and Hindus, eulogised extreme violence repeatedly, and incited the audience by communalising the events of 1992 Babri Masjid Demolition and 2002 Gujarat violence. He further advocated a boycott of Muslim shops and owners. Additionally, his speech infantilises women, promotes misogyny, moral policing, vigilantism, and incites hatred and enmity between the communities. Pertinently, the present speech was delivered in front of the audience which primarily comprised of students, young adults, and probably even minors.

As an extremist organisation, Vishwa Hindu Parishad has been flagged multiple times for spewing hate speeches against religious minority communities and its role in physical violence. In the past, the organisation has delivered hate speech targeting Muslims and has repeatedly eulogised violence. Thus, it has a history of disturbing the communal harmony of India through its provoking and threatening conduct. We would like to bring your attention to the instigating speech video that has surfaced from Vapi, Valsad, urging the police officials to take stringent action against the speaker and the organisation 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:**

“If any incident occurs in one place, we will respond back at ten places. If any minor incident occurs in a small village, **where some Hindus might have been beaten up, we should not fear, we must respond back in ten villages. If one Hindu is beaten up, many Muslims will be beaten up in ten villages, when this sentiment is ignited then no Hindu community will be ever attacked.**” [Timestamp: 00:00 – 00:36]

“We will respond back to the issue of love jihad with love, and a Hindu youth should not leave any Muslim woman who wants to marry a Hindu, and in fact should marry such a woman and even society should welcome this, we must develop such an environment. We must also raise awareness about love jihad in the society; in colleges, schools, other places, organising seminars, teaching people; we must create such an environment that she never actually leaves.” [Timestamp: 00:36 – 01:15]

“We are happy that in (these) ten years, riots have stopped in the country, but do not think that riots will never break out. It can happen at any time, because some people are clandestinely planning that they will do it today or tomorrow, therefore, the society must be vigilant. **Not even one girl should become a victim of love jihad, none of our sisters, irrespective of their caste or class status, whether rich or poor, every Hindu sister is my sister, and I have a duty to protect her – this sentiment must always prevail in our minds.**” [Timestamp: 01:15 – 01:57]

“We will not attack anyone, but we will also not leave anyone who attacks us; we will not harass anyone, but if anybody harasses us, we will won’t leave them. **There will be tit for tat...in riots Hindus were killed but we slowly started responding back, I will give two examples – In 1992, the whole country went to Ayodhya, at that time nobody was allowed to do Kar Seva (devotional service), angry people in turn moved atop the dome and that mosque which was a symbol of disrespect was brought down manually by the people within 6 hours. The mosque was completely dismantled and a small temple was created there in its place. Thereafter, the country witnessed riots, for the first two days Hindus were slaughtered, but later, Hindus showed their might. As a result, those riots killed some 2000 people across the country, 600 of them were Hindus - who were the rest you can imagine - for the first time Hindus counterattacked, they sent a message that we won’t attack anyone, but if anybody attacks, we will teach them a lesson.**” [Timestamp: 01:58 – 03:48]

“The second example is our Godhra – *Ram sevaks* who were returning back were attacked and burnt alive in the train. Resultantly, the whole Gujarat burnt, more than 10000 people bore the plight, Narmada and Sabarmati turned red. **I still remember, in February 2002, Indian Express had put out one photo on the front page – seeing that photo I feel elated time and again – in that photo one Muslim youth was crying. For many years, Hindu was crying, for the first time seeing a picture of a Muslim youth crying made me happy because entire Gujarat responded back, and not only Gujarat but the whole country witnessed a sentiment of bravery.**” [Timestamp: 03:48 – 04:54]

**“I went to Jodhpur, I had to cut my hair but none of the three shops I went to were run by a Hindu...I was surprised but finally with the Karyakartas’ help I found the sixth shop which was (run by) Hindu. These things are happening across the country, wherever Hindus are not there, we should develop a feeling to gradually dominate such businesses. I recall one example, there is one Sindhanur village in Karnataka where 5 sabji mandis have entirely gone into the hands of Muslims. But one Hindu youth there took up a pledge that he will bring up a transformation - maybe this is 12–13-year-old incident - he opened up one shop, a small one, you had to buy (materials) from Muslim shops but he bought them from other villages and gradually expanded his business even as he connected the (other) villages. When the money started pouring in, he met many saintly people and tried to help people; today after 15 years, the Sindhanur sabji market is in the control of Hindus. Such efforts should be undertaken in every village, town, and basti...when every business is in the hands of Hindus then only (you) will find prosperity.” [Timestamp: 04:55 – 06:45]**

The video had been uploaded on Telegram by Hindutva Watch on May 26, 2024.

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

<https://t.me/hindutvawatchin/438>

Ma’am/Sir, it is important to note that this is not the first time that VHP leaders have delivered such a hate speech in the country. We at CJP, have regularly tracked the speeches that had been made by them. It is also essential to highlight here that in the month of August last year, the Supreme Court had asked authorities to act against potential violence and hate speech at VHP rallies in Delhi NCR and Haryana. Similarly, in October 2022, inflammatory comments were passed urging economic boycott of Muslims during VHP organised rally in Dilshad Garden, Delhi. Thus, the organisation and its speakers have a strong history of fomenting trouble, engaging in disinformation campaign, fear-mongering, inciting hatred between different communities, and disturbing communal peace in a sensitive country like ours.

Ma’am/Sir, we are also generally concerned with the overall unsafe atmosphere for the minorities that is being generated through the systemic and perpetrated use of hate speech and writing within the country, but also in Gujarat, and urge that urgent steps are taken to curtail and prosecute the same.

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

As you must know, the issue of rampant hate speech being delivered 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 Janajaguti 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, Chattisgarh 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.”*

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

Ma’am/Sir, on April 28, 2023 the Supreme Court had held that all States/UTs, including Gujarat, 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.

### **Sections of Indian Penal Law attracted**

The inflammatory and divisive speech delivered by the VHP leader amounts to inciteful, hate speech which is a punishable offence under various sections of the Indian Penal Code (IPC) and Bharatiya Nyaya Sanhita:

**Section 153A** [promotion of enmity between different groups on grounds of religion, race, place of birth, residence, language, etc., and doing acts prejudicial to maintenance of harmony],

**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].

### **Sections of Bharatiya Nyaya Sanhita, 2023 (BNS) attracted**

#### **196. (1) Whoever—**

(a) by words, either spoken or written, or by signs or by visible representations or through electronic communication or otherwise, promotes or attempts to promote, on grounds of religion, race, place of birth, residence, language, caste or community or any other ground whatsoever, disharmony or feelings of enmity, hatred or ill-will between different religious, racial, language or regional groups or castes or communities; or

(b) commits any act which is prejudicial to the maintenance of harmony between different religious, racial, language or regional groups or castes or communities, and which disturbs or is likely to disturb the public tranquillity;

shall be punished with imprisonment which may extend to three years, or with fine, or with both.

#### **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; or

(b) asserts, counsels, advises, propagates or publishes that any class of persons shall, by reason of their being members of any religious, racial, language or regional group or caste or community, be denied, or deprived of their rights as citizens of India; or

(c) makes or publishes any assertion, counsel, plea or appeal concerning the obligation of any class of persons, by reason of their being members of any religious, racial, language or regional group or caste or community, and such assertion, counsel, plea or appeal causes or is likely to cause disharmony or feelings of enmity or hatred or ill-will between such members and other persons; or

(d) makes or publishes false or misleading information, jeopardising the sovereignty, unity and integrity or security of India,

shall be punished with imprisonment which may extend to three years, or with fine, or with both.

**351. (1) Whoever threatens another by any means, with any injury to his person, reputation or property, or to the person or reputation of any one in whom that person is interested, with intent to cause alarm to that person, or to cause that person to do any act which he is not legally bound to do, or to omit to do any act which that person is legally entitled to do, as the means of avoiding the execution of such threat, commits criminal intimidation.**

(2) Whoever commits the offence of criminal intimidation shall be punished with imprisonment of either description for a term which may extend to two years, or with fine, or with both.

**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.**

In view of the same, we urge you to 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 under the relevant sections. 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 wish for 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 the speech dated May 26, 2024 downloaded by CJP