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To,

Shri Iqbal Singh Lalpura

Hon'ble Chairperson National Commission for Minorities

Ph: 011-24366132/01124360591

Email: chairman-ncm@nic.in

Subject- Complaint against series of hate speeches delivered at the 'Dharma Sansad' events orchestrated by Yati Narsinghanand and other individuals on December 20, 2024

Respected Sir,

We, the Citizens for Justice and Peace (CJP), are writing to lodge a formal complaint regarding the series of hate speeches delivered at the 'Dharma Sansad' events orchestrated by Yati Narsinghanand and other individuals. These speeches, filled with inflammatory and violent rhetoric, are a direct affront to the secular principles enshrined in the Indian Constitution. Below, we present the details of the incidents, the content of the hate speeches, their legal implications, and our request for urgent action.

Background of the event

The proposed 'Dharma Sansad' event, that was to be organised by the controversial Hindu priest Yati Narasinghanand, has been the subject of significant legal and administrative scrutiny in recent weeks. Narasinghanand, known for his inflammatory speeches against Muslims, initially planned the event in Haridwar between December 17-19. However, local authorities and police dismantled the setup for the event before it could take place, effectively halting its arrangements.

Despite being denied permission for the event in Haridwar, another gathering took place on December 20, where similar inflammatory rhetoric was once again echoed. The said event, organized by Yati Narasinghanand, was marked by a series of hate speeches that incited violence and targeted the Muslim community. Narasinghanand, known for his controversial rhetoric, repeated inflammatory statements calling for the creation of a Hindu-only nation, free of Muslims, mosques, and madrasas. Other speakers at the event, including right-wing figures, made similarly provocative remarks, with one monk calling for violent actions against those perceived as enemies of Hindus and accusing Muslims of being responsible for the destruction of Hindu temples. The speeches included calls to pick up arms in defence of Hinduism and incited hostility towards Muslims, with derogatory language and references to historical grievances. These hate-filled statements not only sought to provoke religious tensions but also called for physical violence against those who did not conform to the speakers' vision of a Hindu nation.

At the same event, as per ABPLive, Narasinghanand has announced plans to move the 'Dharma Sansad' to the Prayagraj Kumbh.

Details of the hate speeches delivered

Hate speeches, by their very nature, aim to create animosity and hostility between different communities. The speeches highlighted below target Muslims and other minority groups, fostering a climate of fear, mistrust, and division among different sections of society. The speakers spewing of hate speeches is deeply problematic for several reasons, and it has significant negative implications for society as a whole. These speakers, especially Yati Narsinghanand and Kalicharan Maharaj, has a history of delivering hate speeches and promoting divisive narratives.

1. Speech by Yati Narsinghanand

On December 20, after being denied administrative permission to hold a 'Dharma Sansad' in Haridwar, he shifted the event's focus to conducting a Mahayagya at the Sripanchdashnam Juna Akhara headquarters. During this ritual, he called for the “destruction” of individuals who had hindered the original programme. Addressing a gathering of followers, he declared, “The biggest reason for the misery of us Hindus is that we do not have a country of our own,” reiterating his demand for a Hindu Rashtra. Narsinghanand further unveiled his vision of a "Sanatan Vedic Nation," one that, according to him, would have "no room for a single mosque, a single madrasa, or a single jihadi." Drawing a comparison with Israel's protective stance towards Jews, he claimed that such a nation would serve as a global guardian for Hindus.

In addition to this, a widely circulated video shows him addressing an audience alongside other right-wing figures, where he issued a veiled threat against AIMIM leader Akbaruddin Owaisi. Referring to Owaisi's 2012 speech in Telangana, in which Owaisi controversially stated that “if the police were to be removed for 15 minutes, the Muslim community could show its strength,” Narsinghanand declared: “*If the police move away for 15 minutes, this person asking and lecturing for time will not survive.*” The statement drew cheers and chants of “Har Har Mahadev” from the audience. He went on to pledge his family's complete dedication, even to the point of sacrifice, for the cause of “Sanatan Dharma.”

<https://x.com/HateDetectors/status/1870936004078756120>

Narsinghanand’s comments, filled with communal overtones, reflect a persistent pattern of dog-whistling and explicit incitement against Muslims. By invoking the idea of a Hindu Rashtra devoid of diversity and issuing veiled threats of violence, he continues to fan the flames of communal division. These events highlight the unchecked rise of far-right narratives, raising concerns about the absence of strong legal action against such blatant hate speech. The lack of accountability not only emboldens such figures but also poses a grave risk to social harmony and the secular fabric of the nation.

2. Other hate speeches delivered

At the said event in Haridwar, several other speakers joined Yati Narsinghanand in delivering speeches laced with communal rhetoric and expressing grievances over the authorities' actions against the event. The details are as follows:

Shrimahant Raju Das: Raju Das of Ayodhya's Hanuman Garhi delivered an instigatory speech expressing outrage over the cancellation of the Vishwa Dharma Sansad by the authorities. He criticised the actions of the police and district officials, describing their intervention as the "height of insult" to Sanatan Dharma. According to Raju Das, the decision to halt the event, which was organised to highlight alleged atrocities against Hindus in Bangladesh, demonstrated blatant disrespect towards Hindu religious practices and beliefs.

He accused the officials involved of behaving autocratically and called upon Uttarakhand Chief Minister Pushkar Singh Dhami to intervene in the matter. Raju Das demanded that action be taken against what he termed "shameless officials" who disrupted the religious gathering. "Entering the headquarters of Sripanchdashnam Juna Akhara and stalling the Vishwa Dharma Sansad shows that now Sanatan Dharma has become a subject of joke for the officials," he stated. His remarks suggested that the authorities' actions were not merely administrative decisions but part of a larger pattern of undermining Hindu traditions and leadership.

Raju Das further framed the cancellation as a deliberate affront to the dignity of Hindu religious institutions, amplifying the grievances of the attendees and organisers. His rhetoric, steeped in the language of victimhood and religious insult, sought to rally support against what he portrayed as systemic disrespect for Sanatan Dharma by state officials. This sentiment resonated strongly with the audience, who viewed the disruption as an attack on their religious and cultural identity.

Unidentified monk: Video of an unidentified monk has also surfaced from the said event, where he has made comments that are deeply concerning and reflect a blatant incitement to violence, hate, and religious intolerance. The speech, filled with derogatory language and dangerous rhetoric, targets Muslims and secular Hindus while calling for violent actions to "protect" Hindus from alleged threats. It attacks individuals and groups based on their religion, denigrates Muslims in particular, and glorifies the idea of violence as a form of self-defence for Hindus.

In one section, the monk lashes out at BJP ministers for not reacting strongly enough in Parliament, accusing them of being passive while Hinduism is allegedly attacked. He uses inflammatory language to suggest that Hindu ministers should resort to physical violence against their political opponents, specifically targeting a person referred to as "*the son of Sonia*," presumably a reference to Rahul Gandhi. This rhetoric escalates by suggesting that Hindu ministers should "tear apart" their opponents in Parliament, a call to violent action that could undermine public trust in democratic processes.

The monk continues by declaring that Hindus have become "secular" and have lost their historical and religious significance, positioning them as victims of a perceived rise in Islamic power. His remarks paint a picture of Hindus as under siege and calls for an armed response against Muslims, suggesting that Hindus should "pick up arms" to defend themselves, their families, and their property.

Other parts of his speech contain discriminatory and violent language, referring to Muslims using dehumanizing terms such as "children of demons" and calling for the prevention of Azaan and Muslim events in mosques or madrasas. He makes inflammatory comparisons between Muslims and pigs, calling them undeserving of living in India, which is not only deeply offensive but also further fuels religious intolerance and division.

Such speech is dangerous and contributes to an atmosphere of hate and distrust between communities. It is crucial for legal and social systems to respond to such hate speech promptly, holding individuals accountable for statements that incite violence and undermine the principles of pluralism and coexistence that are foundational to a democratic society.

Transcription of the speech:

"In the parliament, the son of Sonia has been punching at nationalist ministers. Now tell me, you (BJP) have so many ministers present in the parliament, why did you not crush him there and then? They have attacked Hindus. It is so sad when we see him calling Hindus as violent while the Hindu ministers sit and watch. They should take the name of Mahadev and tear him apart in the Parliament itself."

"Hindus are stupid. We see our God and Goddesses taking up weapons, but we have become secular Hindus and have lost everything. There used to be a time when our Sanatana Dharma was everywhere in the world, and there used to be no Father or Chaddar. But we have lost it all and the situation is such now that we are a minority in 9 states. They are the children of demons; they won't leave us."

"The way these Islamists are finishing those who are non-Muslims, it is high time that we pick up arms and be alarmed of their actions. Who will protect you? Now it is your time to pick up the arms and protect you children, your shops and houses, your family and future."

"I want to urge the PM and the Union HM to ensure that no Azaan or any Muslim event takes place in any Madrasa or Mosque."

"In Maharashtra, there live some children on pigs, and then there are some Sanatanis present there who conquer over them and wave the flags of Sanatan."

*"There is this big monster in front of us who is planning to eradicate humanity, as they have done in Iran, Iraq, Lebanon, Syria. But I feel pain when yeh sab bh***o ke bache, yeh nalayak baap ki aulaad, s**r ke bache say that Hindu-Muslims are brothers. Are h*****n,*

nalayakon, those who could not be the brothers of their own sisters and cannot be brothers to Shias if they are Sunnis, how will they be our brothers?”

*“There was an issue in a village where a s**r (slur for Muslims) was looting a cycle. When he was caught, the seculars wanted to leave him. But I am not a secular; I would have (makes gesture for taking out a sword and slaughtering) done it and taken the name of our Gods.”*

“In India, we cannot have children of pigs living in India.”

<https://t.me/hindutvawatchin/1105>

Kalicharan Maharaj: Kalicharan Maharaj made controversial remarks in which he compared the teachings of Islam and Hinduism regarding war. He claimed that Muslims are taught that engaging in war would earn them women in heaven. In contrast, he referred to the Bhagavad Gita, suggesting that Hindus are taught that fighting to protect their religion will bring them God’s favour. However, he criticised Hindus for not following this principle, accusing them of being passive and failing to act when needed. He argued that those who do not follow God’s commands will not receive divine assistance in times of need. To underline his point, Kalicharan Maharaj referenced historical events, stating that when Muslims destroyed 500,000 Hindu temples, no divine intervention occurred, implying that the lack of action from Hindus led to this absence of divine help.

Transcription of the speech:

“They are told that if they indulge in war, they will get women in heaven. We are taught through Bhagwat Gita that if we indulge in war for protecting our religion, we will get God. But we do not follow the teachings of our Gods, and rather sit ideally. And those who do not follow the orders of God, the God will also not come to save them when they require it. History has seen it that when these Muslims demolished 5 lakh temples, no God came out.”

<https://t.me/hindutvawatchin/1108>

Hate speech of this nature has a cascading effect, fostering mistrust and hostility between communities. It creates an atmosphere of fear and alienation for minorities, undermining social harmony. The failure to act decisively emboldens such individuals and risks normalising communal rhetoric.

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 tranquillity. Moreover, such open intimidation and hate-filled statements only makes the targeted group more vulnerable to

violent acts. Such hate speech that is illegal and unconstitutional violates the following provisions of the law:

Laws violated by the hate speech under Bharatiya Nyaya Sanhita, 2023

The inflammatory and divisive speech delivered by the multiple 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.

Judicial precedents against hate speech

In *Firoz Iqbal Khan vs Union of India* [W.P (Civ.) No. 956 of 2020], the Supreme Court had held:

“..the edifice of a democratic society committed to the rule of law under a regime of constitutional rights, values and duties is founded on the co-existence of communities. India is a melting pot of civilizations, cultures, religions and languages. Any attempt to

vilify a religious community must be viewed with grave disfavour by this Court as the custodian of constitutional values.” (Para 11)

In *Pravasi Bhalai Sangathan v. Union of India*, (Ref: AIR 2014 SC 1591), the Supreme Court has unambiguously stated that

“hate speech is an effort to marginalise individuals based on their membership to a group, that can have a social impact. Moreover, the Court stated that hate speech lays the groundwork for broad attacks on the vulnerable that can range from discrimination, to ostracism, deportation, violence, and even to genocide. Therefore, the aforementioned news items are tantamount to the perpetration of genocide, and must be considered to be in violation of Article 21 of the Constitution.” (Para 7)

Deleterious impact

These statements have now gone beyond being just hate speech and have become brazen calls for genocide and encouragement to exclude and target the minority community. Hate speech has not been dealt with an iron hand in the past few years and these makers of hate speech have not faced any serious legal action till date which has resultantly given them a free hand and has pushed them to make worse statements than they may have made before. The impunity with which they have been dealt with until now has made the social media a breeding ground for such public figures who have a wide audience who comments on their hate speeches, gets inspired by them and commit more illegal acts. Such expression of extreme hate with a clear communal objective to establish religious hegemony upon a community that is already a minority in numbers in the country, is deplorable and against the constitutional values that we uphold as citizens of this country.

It is quite clear so far that, given the well-orchestrated and numerous instances of hate speech and actual hate crimes being committed, the minority community in various parts of India already feels insecure and threatened. Callous and brazen statements such as this one, made by political leaders at public platforms have far reaching impact and rather perilous repercussions. In order to avoid targeted violence against vulnerable sections to erupt and communal clashes to follow, we urge this Commission to take cognizance and reprimand people, especially political leaders who have a following and influence, to refrain from making comments that would shake the secular fabric of the country.

In the case of *Amish Devgan vs Union of India* [2021 1 SCC 1], the Supreme Court quoted Benjamin Franklin,

“It remains difficult in law to draw the outmost bounds of freedom of speech and expression, the limit beyond which the right would fall foul and can be subordinated to other democratic values and public law considerations, so as to constitute a criminal offence. The difficulty arises in ascertaining the legitimate countervailing public duty,

and in proportionality and reasonableness of the restriction which criminalizes written or spoken words. Further, criminalization of speech is often demarcated and delineated by the past and recent significant events affecting the nation including explanation of their causes. Therefore, constitutional and statutory treatment of 'hate speech' depends on the values sought to be promoted, perceived harm involved and the importance of these harms. Consequently, a universal definition of 'hate speech' remains difficult, except for one commonality that 'incitement to violence' is punishable.” (Para 15)

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

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

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

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

In the case of the *State of Karnataka and anr vs. Dr Pravinbhai Togadia* [(2004) 4 SCC 684], the Supreme Court held,

“Communal harmony should not be made to suer and be made dependent upon the will of an individual or a group of individuals whatever be their religion bit of a minority or that of the majority... the valuable and cherished right of freedom of expression and speech may at times have to be subjected to reasonable subordination to social interest needs and necessities to preserve the very core of democratic life preservation of public order and rule of law. At some such grave situation at least the decision as to the need

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

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

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

Under International law

Article 20 (2) of International Covenant on Civil and Political Rights (ICCPR) states “Any advocacy of national, racial or religious hatred that constitutes incitement to discrimination, hostility or violence shall be prohibited by law.” India has both signed and ratified the Convention, making it a binding piece of document.

Article 4(a) of International Convention on the Elimination of All Forms of Discrimination, which is both signed and ratified by India states, provides that parties to the Convention condemn all propaganda and all organizations which are based on ideas or theories of superiority of one race or group of persons of one colour or ethnic origin, or which attempt to justify or promote racial hatred and discrimination in any form, and undertake to adopt immediate and positive measures designed to eradicate all incitement to, or acts of, such discrimination and, to this end, with due regard to the principles embodied in the Universal Declaration of Human Rights and the rights expressly set forth in article 5 of this Convention, inter alia:

- (a) Shall declare an offence punishable by law all dissemination of ideas based on racial superiority or hatred, incitement to racial discrimination, as well as all acts of violence or incitement to such acts against any race or group of persons of another colour or ethnic origin, and also the provision of any assistance to racist activities, including the financing thereof
- (b) Shall not permit public authorities or public institutions, national

Based on the information provided above, the hate speech and inciteful statements made by the multiple speakers during the Dharam Sansad, as described previously, are not only ethically objectionable but also legally problematic. These statements violate several sections of the Bharatiya Nyay Sanhita (BNS) and go against established judicial precedents and international norms against hate speech. Additionally, these actions go against judicial interpretations and international norms that condemn hate speech and its potential to incite violence, discrimination, and social unrest.

Prayers

The extent of hate and anti-minority sentiment is on the rise all over the country, where public figures such as Yati Narsinghanand, Kalicharan Maharaj and Raju Das, openly target certain groups. We, at CJP, thus urge this Hon'ble Commission to:

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

In anticipation,

Yours sincerely,

Nandan Maluste, CJP President

Teesta Setalvad, CJP Secretary