



**Urgent: MCC Complaint**

**Date: January 10, 2025**

To,

**Ms. R. Alice Vaz (IAS)**

Chief Electoral Officer (CEO), Delhi

[ceo\\_delhi@eci.gov.in](mailto:ceo_delhi@eci.gov.in)

**Sh. Rajesh Kumar**

Special Chief Electoral Officer, Delhi

[splceo.delhi@gov.in](mailto:splceo.delhi@gov.in)

CC:

**Shri Rajiv Kumar**

Chief Election Commissioner

Election Commission of India

[cec@eci.gov.in](mailto:cec@eci.gov.in)

**Subject: MCC violation complaint against BJP councillor Ravinder Singh Negi (Vinod Nagar – 198) for delivering anti-Muslim and communal speech for vote gain in election campaign event in Patparganj Assembly Constituency, Delhi on January 6, 2025**

**Respected Madam & Sir,**

We, at Citizens for Justice and Peace (CJP), are filing this MCC violation complaint against BJP Councillor Ravinder Singh Negi for delivering a highly inflammatory and anti-Muslim speech during an election campaign event in Patparganj, Delhi, on January 6, 2025, in the run-up to the Delhi Assembly Elections 2025. Through his remarks, BJP Councillor Negi sought to create a divisive communal narrative targeting Muslim citizens for electoral gains, which violates the Model Code of Conduct (MCC) as well as Sections 123(2), 123(3), and 123(3A) of the Representation of the People Act, 1951. In his speech, Councillor Negi referred to Muslims as “descendants of the Mughals” and claimed that only “Jai Shree Ram” would be chanted in India. He further engaged in fearmongering by suggesting that the growing Muslim population poses a threat to Hindus, specifically highlighting the condition of Hindus in West Bengal.

In addition, he evoked the situation of Kashmiri Pandits, alleging that Muslims trouble Hindus wherever they are in the majority. He also referenced alleged atrocities against Hindus in Bangladesh and made an unsettling claim that there could be nothing worse than Hindus not voting for the BJP.

### **Transcripts and context of the speech:**

“I am a Sanatani Hindu, and it is my duty to protect every Hindu, which is my supreme duty. You can see what is happening in Sambhal today, right? Gods are being unearthed from the ground. These corrupt people, who were non-believers, had buried our Gods. Now, with a government like Yogi's in place, even the dead are rising, and Gods are being found. And those descendants of the Mughals, their faces are downcast. In this country, only "Jai Shri Ram" will be spoken; nothing will happen to the descendants of the Mughals.” **(Time Stamp: 00:01 – 00:39)**

“You see what is happening in Bengal? What is happening to Hindus? Does anyone remember?

Those who used to say that nothing happened in Jammu and Kashmir—people used to say nothing happened. Kashmiri Pandits were told at midnight, "Leave your homes!" They had to leave their homes in the middle of the night! Where their (Muslims) population is high where you will see this happening. Go see Bangladesh, where Hindu temples are being demolished, where women are being raped. This whole situation is unfolding before us. Even after this, if Sanatan Dharma/Hindu Dharma doesn't vote for BJP, then nothing could be more useless than that.” **(Time Stamp: 00:40 – 01:28)**

BJP leader Ravinder Singh Negi's speech appears to be a clear attempt to communalize the election process by drawing sharp religious lines between Hindus and Muslims. By invoking his identity as a “Sanatani Hindu” and asserting a duty to protect Hindus, Negi positions the Hindu community as a victim in need of protection from an alleged Muslim threat. He frames this as a moral imperative, aimed at gaining votes on religious grounds rather than on merit or policy.

Negi's speech highlights divisive rhetoric, particularly in his mention of the "descendants of the Mughals" and their “faces downcast,” which seems to stigmatize Muslims by associating them with past Muslim rulers in India. This historical reference is meant to provoke fear and resentment towards Muslims, painting them as hostile or antagonistic to Hindu interests. The statement that "only 'Jai Shri Ram' will be spoken" further emphasizes Hindu supremacy, implying that Muslims and other non-Hindu groups should be marginalized.

Additionally, Negi brings up the issue of the Kashmiri Pandit exodus and the alleged persecution of Hindus in Bangladesh. While these are legitimate concerns, his framing of these issues in a way that directly associates them with Muslims (both in Kashmir and Bangladesh) exploits communal sentiments to garner support. By focusing on perceived threats to Hindu communities, he uses emotional appeals that stoke fear and division rather than offering solutions to social or economic issues.

Ultimately, Negi's speech seeks to polarize voters by leveraging religious identity, portraying Muslims as enemies, and calling for a united Hindu vote to support the BJP. This rhetoric is an attempt to gain electoral advantage by deepening religious divisions, thereby undermining the pluralistic fabric of Indian society.

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

The video can be accessed through this link: <https://t.me/hindutvawatchin/1217>

### **The harmful impact of divisive rhetoric on Delhi's social fabric and democratic values**

The divisive rhetoric presented in Ravinder Singh Negi's speech poses a significant threat to Delhi's social fabric and democratic values. By categorizing entire communities based on religious identity, Negi fosters division and resentment between Hindus and Muslims. His statements that Muslims are the "descendants of the Mughals" with "faces downcast" perpetuate harmful stereotypes and vilify a large segment of the population. This fuels communal animosity, creating an environment where religious identity becomes the basis for trust and belonging, rather than shared values of equality and mutual respect.

Furthermore, the use of historical grievances, such as the exodus of Kashmiri Pandits and alleged violence in Bangladesh, stirs up fear and distrust without addressing the broader complexities of these issues. Instead of focusing on unity or national progress, Negi's rhetoric plays on emotions, encouraging polarization and undermining the inclusive spirit that democratic societies thrive on.

Such language undermines the very core of democratic values—pluralism, tolerance, and equality. By pitting one community against another, this rhetoric threatens to fracture the social cohesion that has traditionally been a strength of Delhi and India. The harmful impact is not only seen in strained inter-community relations but also in the erosion of democratic ideals that depend on unity in diversity.

### **Impact on the electoral environment**

This divisive language significantly impacts voting behaviour by encouraging choices based on communal anxieties rather than on substantive issues of governance, development, or social welfare. In place of reasoned debates on pressing state concerns like economic growth, healthcare, and infrastructure, the political discourse shifts toward identity politics and exclusionary agendas. This kind of electoral mobilisation drives a wedge between communities, reducing elections to contests for communal dominance rather than forums for collective progress. Voters, rather than evaluating candidates on their merits and policies, are swayed by alarmist narratives that exploit religious and cultural insecurities, diminishing the democratic integrity of the electoral process.

Furthermore, Ravinder Negi's approach erodes public trust in democratic institutions and processes. When high-ranking political leaders openly resort to communal narratives, it sets a troubling precedent that prioritises polarisation over unity, and antagonism over dialogue. This shift damages the foundation of a representative democracy, where diverse groups should be encouraged to coexist and engage constructively. By transforming elections into arenas of communal mobilisation rather than inclusive civic engagement, Ravi Negi's rhetoric risks inciting social unrest, which could have lasting implications for peace and stability in Delhi.

### **Violations of the Model Code of Conduct (MCC)**

The MCC, enforced by the Election Commission of India, aims to ensure free, fair, and peaceful elections by prohibiting divisive and inflammatory rhetoric. Ravinder Negi's statements contravene the following specific guidelines under the MCC;

1. **Part I, General Conduct:** MCC mandates that political parties and candidates avoid any activities that aggravate existing differences, such as communal and caste tensions. Negi's statement directly violates this by using religious identity as a basis for political loyalty. By stating, "I am a Sanatani Hindu, and it is my duty to protect every Hindu," he is fuelling communal polarization, portraying the protection of Hindu interests as an exclusive duty, and implicitly positioning Muslims as a threat. His references to "descendants of the Mughals" with "faces downcast" further alienate Muslims, creating a divisive atmosphere that exacerbates existing communal tensions.
2. **Part V, Election Campaigning:** According to MCC, political parties should refrain from making appeals based on caste, religion, or communal sentiments. Negi's speech is a clear appeal to religious sentiments by emphasizing Hindu identity and the protection of Hindus while vilifying Muslims. His call for Sanatan Dharma (Hinduism) to vote for BJP, coupled with references to alleged religious violence and the marginalization of Hindus in Muslim-majority regions like Kashmir and Bangladesh, plays on fear and division. This kind of appeal, which pits religious communities against each other, is in direct contravention of the MCC's directive to refrain from communal campaigning during elections.

Negi's speech, by emphasizing religious polarization, risks inflaming social divisions and undermining the integrity of the election process, which should be based on policy and unity rather than religious or communal strife.

### Legal violations under the Representation of People Act, 1951

The speeches by BJP Councillor Negi constitute clear violations under Section 123 of the Representation of People Act, 1951, specifically in the following sub-sections:

#### Undue Influence

1. Section 123(2): *Undue influence, that is to say, any direct or indirect interference or attempt to interfere on the part of the candidate or his agent, or of any other person [with the consent of the candidate or his election agent], with the free exercise of any electoral right.*

**Violation:** The speech attempts to exert undue influence on voters by making religious appeals, particularly to Hindu identity. By stating that it is his "duty to protect every Hindu," Negi seeks to influence voters through their religious sentiments. The implication is that voting for the BJP, which is presented as the protector of Hindu interests, is a moral or religious duty, potentially coercing voters into supporting the party based on religious loyalty rather than informed democratic choice. This is an attempt to indirectly interfere with the free exercise of electoral rights, as it pressures voters to choose on the grounds of religion rather than policy or individual merit.

#### Appeal on Religious Grounds

2. Section 123(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.*

**Violation:** The most apparent violation is the appeal based on religion. By invoking his identity as a “Sanatani Hindu” and framing the protection of Hindus as a “supreme duty,” Negi makes a direct appeal to Hindu voters to cast their votes in favour of the BJP. Additionally, the reference to “descendants of the Mughals” and the clear suggestion that Muslims are a threat to Hindus further strengthens this religious appeal. This constitutes a violation under Section 123(3), as the appeal is explicitly based on religious grounds, asking voters to choose a candidate based on their religious identity rather than any other meritocratic or policy-related reasons.

### Promotion of Enmity or Hatred

3. Section 123 (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.*

**Violation:** Negi’s speech also promotes feelings of enmity and hatred between communities, particularly between Hindus and Muslims. His references to the “descendants of the Mughals,” the portrayal of Muslims as antagonistic forces against Hindus, and the narrative of Muslims’ supposed disrespect for Hindu gods all work to foster communal animosity. The speech implies that Muslims are not only enemies of Hindus historically but are also a threat in contemporary India, contributing to the creation of divisions between different communities. By promoting such divisive views, Negi’s speech violates Section 123(3A), as it seeks to spread hostility between religious groups for electoral gain.

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

The inflammatory and divisive speech delivered by Ravinder Singh Negi 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.*

### **Relevant 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 6 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 emphasise 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.

### **Prayer for Immediate Action**

In light of the aforementioned violations and the harmful impact on communal harmony and electoral integrity in Delhi, we respectfully request that the Election Commission consider the following specific actions against BJP Councillor Ravinder Singh Negi for his inflammatory and divisive speech:

1. **Immediate Public Censure:** Issue a public censure against BJP Councillor Ravinder Singh Negi for delivering a speech that incites communal tensions and violates the Model Code of Conduct (MCC) and sections of the Representation of People Act, 1951. This censure should explicitly highlight the divisive nature of his statements, including his reference to religious identity to influence voters and his portrayal of Muslims as enemies, which undermines the secular fabric of India. The censure should also serve as a deterrent to prevent future violations by other political figures.
2. **Prohibition on Future Campaigning in Delhi:** As a preventive measure, prohibit Councillor Negi from participating in further campaigning activities within Delhi. This step will ensure the preservation of communal harmony and maintain a fair and peaceful electoral environment, free from religious polarization and hate speech.
3. **Take Appropriate Action:** Take appropriate punitive measures against the BJP for allowing its leaders to engage in corrupt practices under Section 123 of the Representation of People Act (RPA). This should include a thorough investigation into the party's role in encouraging divisive rhetoric for electoral gain.
4. **Direction to Political Parties:** Issue a directive to the Bharatiya Janata Party (BJP) to refrain from using communal rhetoric and appeals in election campaigns in Delhi. This directive would remind all party candidates and leaders of their responsibility to uphold the MCC and respect the law, ensuring that future campaigns are focused on inclusive governance and unity.
5. **Monitoring of Campaign Speeches:** Deploy monitoring teams to review the speeches of all political candidates and campaigners in Delhi throughout the election period. This proactive measure will ensure compliance with the MCC, safeguard against further hate speech or divisive language, and protect the integrity of the election process.

By taking these actions, the Election Commission can help preserve the secular values enshrined in India's Constitution and ensure that the electoral process remains free from religious manipulation and divisive politics in Delhi.

We trust that the Chief Electoral Officer, Delhi will take immediate and decisive action to address this issue, thereby safeguarding the integrity of the electoral process and ensuring that the people of Delhi can vote in an environment free from fear and communal discord.

On April 28, 2023, the division bench of Justice KM Joseph and BV Nagarathna in *Ashwini Kumar Upadhyay v. Union of India [W.P. (C) No. 943 of 2021]*, directed all States/UTs to



register Suo moto FIR against Hate Speech irrespective of religion. The court added that when any speech or any action takes place which attracts offences such as Section 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.

Thank you for your consideration of this urgent matter.

Yours sincerely,

Nandan Maluste, CJP President

Teesta Setalvad, CJP Secretary

**Annexures**

Annexure A- Video uploaded on Telegram by Hindutva Watch on January 9, 2025, downloaded by CJP