

Date: March 28, 2025

To,

Shri Nikhil Gupta (IPS)

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Subject: Complaint against BJP MLA and Minister Nitesh Narayan Rane for delivering a divisive and inflammatory speech at a public felicitation event organised by Ramanandacharya Shri Swami Narendracharayaji Maharaj in Nanijdham, Ratnagiri on February 20, 2025

Dear Sirs,

We, at Citizens for Justice and Peace (CJP), a human rights movement dedicated to furthering the constitutional rights of all Indians, are deeply concerned about the divisive and communal rhetoric delivered by **Nitesh Narayan Rane, BJP MLA and Cabinet Minister for Fisheries & Ports Development**. On February 20, 2025, at a **public felicitation event** organized by **Jagadguru Ramanandacharya Shri Swami Narendracharayaji Maharaj in Nanijdham, Ratnagiri**, Rane delivered a deeply problematic anti-Muslim hate speech. During this speech, he propagated baseless conspiracies such as ‘love jihad’ and ‘land jihad,’ terms that have been repeatedly used to spread harm and mistrust towards the Muslim community. Further escalating his rhetoric, Rane used Islamophobic slurs like “jihadis” and targeted religious sites, specifically *Mazars* and *Dargahs*, claiming that they “just pop up anywhere.” This inflammatory language, delivered in a public setting in Nanijdham, poses a serious threat to communal harmony and deserves immediate attention. Rane’s remarks spread dangerous narratives.

As an organisation promoting communal harmony, we are compelled to inquire whether appropriate action is being taken in accordance with the directives issued by the Hon'ble Supreme Court and the Bombay High Court. The Constitutional Courts have specifically ordered detailed

investigations and prosecutions in relation to hate speech, and we urge the authorities to adhere to these directions, ensuring that such divisive rhetoric does not go unchecked.

In this context, we bring to your attention the disturbing video of Nitesh Rane's speech that has surfaced, which could be perceived as encouraging hatred and attempting to justify it under the guise of religion. During a recent public felicitation event in Nanijdham, Ratnagiri, on February 20, 2025, Rane made claims regarding the alleged crime of "love jihad." However, it is important to note that there are no verified statistics or credible evidence supporting the existence of such a phenomenon. Conspiracies of "love jihad" and "land jihad," further escalating his rhetoric by calling Muslims "jihadis" and attacking religious sites such as Mazars and Dargahs. He also referred to the efforts of certain individuals to "Islamise" India, reinforcing harmful and unfounded myths about Muslims. It is crucial that the police and authorities take stringent action to prevent further harm to the peace and harmony of our nation.

Rane's speeches, including the one in Nanijdham, exhibit numerous traits clearly indicative of hate speech. His remarks single out one section of the Indian population, specifically the Muslim community, and propagate certain communal narratives that stir resentment and incite fear. As per the Supreme Court's judgment in *Amish Deygan v. Union of India* (2021) 1 SCC 1, such speech falls under the category of hate speech, as it seeks to promote hatred against a particular group without any legitimate purpose. Rane's inflammatory statements meet these criteria.

In the *Amish Deygan* (2021) judgment, a bench comprising Justices A M Khanwilkar and Sanjay Khanna emphasised that hate speech is not merely an expression but an act intended to foster hatred or violence against a specific community. The Court clarified that for speech to be categorised as hate speech, there must be subjective intent to target a group or class of people. The Court further reinforced the responsibility of persons of influence, such as Rane, given the reach and authority they possess over the public. The Court's ruling stresses that individuals in positions of power must be especially cautious of the messages they convey, understanding their potential to incite hatred and social discord.

The Court observed that the object of criminalising hate speech is to protect the dignity of an individual and to ensure political and social equality between different identities and groups, regardless of caste, creed, religion, sex, gender identity, sexual orientation, linguistic preference, etc. In this context, the Court explained that 'dignity' "refers to a person's basic entitlement as a member of a society in good standing, his status as a social equal and as bearer of human rights and constitutional entitlements" (Para 46).

Nitesh Rane, as a sitting MLA and Cabinet Minister, holds considerable sway over public opinion. His position of influence amplifies the impact of his words. By making remarks that explicitly target Muslims and encourage anti-Muslim sentiment, Rane not only flouts the constitutional principles of equality and non-discrimination but also directly contravenes the guidelines set by the Supreme Court mentioned herein. His speeches are emblematic of the kind of rhetoric the Court has cautioned against, as they incite communal hatred without any valid or legitimate message.

Rane's words in Nanijdham, including references to "Love Jihad," "Land Jihad," and his derogatory remarks targeting Muslims, further demean a section of the population, reinforcing stereotypes and prejudices. By invoking concerns about Muslims allegedly attempting to "Islamise"

India, Rane raises fears that appear to lack factual basis, which could contribute to increasing intolerance and division on the basis of religious line.

The *Amish Dergan Judgment* (*supra*) also stressed that statements by persons holding power and influence must be analysed differently from those made by an ordinary person on the street. As a public figure holding a constitutional office, Nitesh Rane's role in disseminating hate speech and communal propaganda cannot be ignored. His speeches, delivered with the authority of his position, exemplify the kind of speech the Supreme Court has cautioned against. We call upon the authorities to take swift and decisive action to ensure that Rane's statements are investigated and, if necessary, prosecuted, as per the established legal framework.

Transcript and English translation of the speech:

Date – February 20, 2025 [Nanijdhm, Ratnagiri]

"I would like to specifically mention here that only a world Guru like Swamiji has the strength to stop and challenge them. So, the work you are doing, primarily Ghar Wapsi, which means religious conversion—today, it is very necessary for this work to happen on a large scale." **[Time Stamp: 00:01 – 00:23]**

"Because issues like Love Jihad and Land Jihad are actively happening around us. Through Love Jihad and religious conversion, a large-scale effort is underway to bring countless Hindu mothers and sisters into Islam by those engaging in Jihad." **[Time Stamp: 00:25 – 00:45]**

"Today, under the leadership of the honourable Devendra Saheb, our Maharashtra government is preparing to introduce an anti-conversion law in our state soon. The aim is to ensure that all these ongoing activities are stopped immediately. With this perspective in mind, we are taking steps in that direction." **[Time Stamp: 00:46 – 01:11]**

"I have initiated a program through my ministry to make our 720-kilometer coastline Jihad-free. Therefore, in all these matters, it is extremely important for me to receive Swamiji's guidance and blessings from time to time." **[Time stamp: 01:15 – 01:35]**

"All the illegal activities happening around us—wherever you look, spreading the green cloth, building mazars and tombs everywhere—against all this, our Maharashtra government will take a firm stand without any Hindutva-based bias. On this occasion, I assure Swamiji of this today." **[Time Stamp: 01:37 – 01:56]**

"No one will be spared from this. Therefore, while our government is issuing directives in this regard, I am fully aware of the responsibility that has been placed on my shoulders." **[Time Stamp: 01:58 – 02:11]**

The Supreme Court's Amish Devgan judgment highlighted that those in positions of influence bear a greater responsibility for their words and actions. The judgment emphasised that public figures must be aware of the potential meanings and impacts of their words. Nitesh Rane's comments during the speech on February 20, 2025, in Nanijdhm, Ratnagiri, reflect a blatant disregard for this responsibility. During the event, he invoked terms like "Love Jihad," "Land Jihad," and "Ghar Wapsi" – all of which have become tools of hate speech commonly used by right-wing groups to vilify Muslims. These phrases not only misrepresent reality but also serve to create a sense of impending danger, as seen in Rane's assertion: "Through Love Jihad and religious conversion, a large-scale effort is underway to bring countless Hindu mothers and sisters into

Islam by those engaging in Jihad.” This statement does not convey any legitimate concern but instead promotes a narrative of fear and suspicion, painting Muslims as a monolithic group intent on destabilizing Hindu society.

Furthermore, Rane’s comments about Muslims allegedly encroaching on Hindu religious spaces and his rhetoric about the Hindu nation are clear violations of the *Amish Devgan* (Supra) ruling. He claimed that the ongoing religious conversions through "Love Jihad" are an attempt to "Islamise" India, and also spoke about the need to introduce anti-conversion laws to stop what he portrayed as a large-scale religious threat.

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

Annexure A

Link: <https://t.me/hindutvawatchin/1509>

How elements in the speech delivered constitute Hate Speech:

Nitesh Rane's speech on February 20, 2025, at Nanijdham, Ratnagiri, is a prime example of hate speech that aligns with the elements outlined in the Supreme Court's *Amish Devgan* judgment. The speech employs demonising language and promotes unfounded conspiracy theories, particularly with terms like “Love Jihad,” “Land Jihad,” and “Ghar Wapsi.” By framing these terms as part of a widespread and deliberate effort by Muslims to “Islamise” India, Rane perpetuates the myth of a planned Islamic takeover, further stirring fear and mistrust among communities.

Rane’s speech and its potential impact

Rane’s speech also crosses the line into direct threats and incitement to hatred. The use of terms like “Jihad-free coastline” and his call for an anti-conversion law are not only divisive but may also have the effect of restricting individuals' freedom to make personal choices. The statement that the Maharashtra government will “take a firm stand without any Hindutva-based bias” in fighting against “illegal activities,” which include the building of *mazars* and tombs, clearly targets Muslims. This veiled incitement fosters an atmosphere where violence and discrimination against the Muslim community can be justified under the guise of national protection.

The speech serves no legitimate purpose other than to fuel hatred and division. As a public figure holding a constitutional office, Rane’s words carry significant weight and influence, amplifying the potential harm of such rhetoric. By invoking inflammatory language like “Islamisation” and “Jihadisation,” he fosters communal paranoia, unjustly presenting Muslims as a threat to Hindu religious and cultural institutions. Additionally, his claims about Muslims encroaching on temple lands contribute to harmful stereotypes. It is important to note that these allegations lack credible statistics or evidence, further highlighting the baselessness of such claims and the potential harm they cause in isolating the Muslim community.

Furthermore, Rane’s speech constitutes a direct violation of his duty as a public figure, as outlined in the *Amish Devgan* judgment (2021). The Supreme Court stressed that individuals in positions of power must exercise heightened responsibility, given the potential for their words to influence public sentiment and stoke division. Rane’s speech, laden with provocative and divisive language,

disregards this responsibility, and as an elected representative, he should have been aware of the harm his words could inflict on social harmony.

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 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, 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 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 Janjagruti 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 (I&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 organisers 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

Sir, it is also important to note that the Hon'ble Supreme Court of India, in Writ Petition (Civil) No. 940/2022, ***Shaheen Abdulla vs. Union of India & Ors.***, mandated the police authorities in the States of Uttar Pradesh, Uttarakhand and UT of NCT of Delhi to take suo moto action against those indulging in hate speeches as provided under the Indian Penal Code. Moreover, the state authorities have also been asked to issue directions to their subordinates in this regard that without looking at the religion of the accused, action has to be taken. 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.

Laws Violated by the Hate Speech

Under Bharatiya Nyaya Sanhita, 2023 (BNS)

Section 196 – Promoting Enmity Between Groups:

- In the speech delivered on February 20, 2025, in Nanijdham, Ratnagiri, the speaker explicitly targets Muslims, accusing them of involvement in "Love Jihad," "Land Jihad," and attempting to Islamise India through religious conversion. The mention of these terms creates a hostile environment between religious communities, portraying Muslims as perpetrators of a large-scale threat to Hindu society. This not only stirs division but is also a violation of Section 196, which prohibits promoting enmity between groups.
- The speaker further claims that the ongoing efforts to target Hindu women and bring them into Islam through conversion are being orchestrated by Jihadists, further deepening communal divides. This rhetoric actively incites fear and animosity, breaching Section 196.

Section 197 (1) – Imputations Against Allegiance to the Constitution:

- In the speech, the speaker insinuates that Muslims, through their alleged efforts of religious conversion and "Love Jihad," are working to undermine the sovereignty and integrity of India. This assertion attacks Muslims' loyalty to the Indian state, implying that they are part of a broader scheme to Islamise the country, thus violating Section 197.
- The speaker also emphasises the need for anti-conversion laws to curb the alleged religious conversion activities targeting Hindu society, suggesting that Muslims are attempting to destabilise the nation's pluralistic fabric. This directly questions their allegiance to the Constitution, violating the provision set out in Section 197.

Section 299 – Malicious Act to Insult a Religion:

- The speech made in Ratnagiri insults Islam by associating Muslims with the deliberate targeting of Hindu religious sites and suggesting that they are part of a coordinated effort to weaken Hindu society. This narrative maligns Islam and its followers, constituting a breach of Section 299.
- The repeated association of Muslims with terms like "Love Jihad" and "Land Jihad" further tarnishes the image of Islam, attacking the religion's integrity and offending Muslim sentiments, thereby violating Section 299.

Section 352 – Intentional Insult with Intent to Provoke Breach of Peace:

- The speaker's rhetoric in Nanijdham, Ratnagiri, is designed to provoke fear and resentment. The claims of Muslim-led encroachments on Hindu temples and the ongoing religious conversion efforts intentionally insult Muslims and stir emotions that can lead to

a breach of peace. This rhetoric, aimed at portraying Muslims as a threat to Hinduism and the country, is clearly intended to provoke conflict and social unrest, violating Section 352.

- The speech also includes calls for legal measures to curb what the speaker considers threats from Muslim actions, including the promise of a firm stand against these threats. The inflammatory nature of this rhetoric is likely to cause public disturbances, thus breaching the peace.

Section 353 – False Information with Intent to Incite:

- The claims made in the speech—particularly about the supposed large-scale efforts by Muslims to convert Hindu women and encroach on Hindu temples—are unfounded and inflammatory. These baseless claims, made without evidence, are intended to spread fear and alarm, thus fulfilling the criteria of Section 353. The speaker’s narrative suggests a systematic, organised effort to "Islamise" the nation, which is both false and inciteful, further deepening the communal divide.
- Additionally, the speech claims that the Maharashtra government is introducing anti-conversion laws to curb these alleged activities, suggesting an urgent threat that requires drastic measures. These false narratives are meant to incite fear and unrest among the public, contributing to the spread of communal discord.

The speech made in Nanijdhm on February 20, 2025, and the views expressed within, particularly the targeting of Muslims through accusations of "Love Jihad" and "Land Jihad," propagate a divisive narrative that not only insults a particular religion but also promotes an atmosphere of fear, hatred, and mistrust between communities. By labelling Muslims as perpetrators of religious conversion campaigns and depicting them as a threat to the sovereignty of India, the speaker fosters communal discord. This kind of inflammatory speech risks disrupting the peace, inciting violence, and violating several provisions under the Bharatiya Nyaya Sanhita (BNS), 2023.

It is important to mention that both speeches convey a dangerous narrative that Muslims are a threat to Hindu society, religion, and the sovereignty of India. They use terms like "Love Jihad," "Land Jihad," "green snakes," and claims of Islamisation to create a hostile atmosphere, suggesting that Muslims are deliberately encroaching upon Hindu religious sites and trying to convert India into an Islamic state. These speeches invoke fear and hatred, sowing discord between communities by portraying Muslims as enemies of the nation.

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).

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], extended its order and 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.

In view of the above, we urge you to take cognizance of the speeches delivered by Nitesh Rane, as enclosed herewith, and register a case against the perpetrator, Nitesh Rane, as well as the organizers of the events, under the relevant sections for cognizable offences. We also wish for you to inform us whether the said events were videotaped by the police officials, as per the orders of the Supreme Court. Additionally, we request that the police keep us informed of developments and actions taken in this case, based on the applicable sections, as this would go a long way in rebuilding faith and confidence in the rule of law in general, and the police-citizen relationship in particular.

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 event dated February 20, 2025 downloaded by CJP