

Date: November 11, 2025

To,

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CC:

Sh. Gyanesh Kumar

Chief Election Commissioner

Election Commission of India, New Delhi

Email: cec@eci.gov.in

Subject: Complaint under the Model Code of Conduct and the Representation of the People Act, 1951 – Communal and derogatory remarks made by BJP leader during Jubilee Hills By-Election Roadshow, Hyderabad, mocking religious practices and appealing to religion for votes

Respected Sirs,

We, at Citizens for Justice and Peace (CJP), are submitting this complaint against Bharatiya Janata Party (BJP) leader Bandi Sanjay Kumar for making communal, derogatory, and religion-based appeals during a campaign event at the BJP Roadshow at Site-3, Borabanda Crossroads, Jubilee Hills, Hyderabad, as part of the ongoing Jubilee Hills by-election campaign.

Kumar made deeply disrespectful and divisive remarks concerning the religious practices of Muslims, mocking the act of wearing a skull cap or offering namaz, while simultaneously invoking his own Hindu identity as a mark of “authenticity” and “courage.”

The remarks were made in a charged political context and were intended to deride Muslim citizens and opponents, including Telangana Chief Minister Revanth Reddy and the Congress candidate, and to solicit Hindu votes through communal polarisation.

Transcript (verbatim extract of key remarks)

“If a day comes when I must wear a skull cap for votes, I’d rather cut off my head.”

“I’m an unapologetic Hindu — I won’t insult other faiths by faking a namaz.”

“Even Muslim leaders like Azharuddin and MIM didn’t wear it. But CM Revanth Reddy and the Congress candidate did — just for votes.”

“Does CM have the courage to ask Azharuddin to chant Vakratunda Mahakaya? Or take Owaisi to Bhagyalakshmi temple and make him sing a song for Ammavaru to win Hindu votes?”

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

Link for the video is: https://x.com/bandisanjay_bjp/status/1986462812353536157

Context

These statements were made during the BJP’s campaign roadshow at Borabanda Crossroads, Jubilee Hills, Hyderabad, in the presence of media, party workers, and members of the public. They were disseminated through Kumar’s official digital handles and widely covered in local media.

The comments, by openly ridiculing religious symbols (the skull cap and namaz) and framing inclusivity as hypocrisy, violate the Model Code of Conduct (MCC) and multiple provisions of the Representation of the People Act, 1951, and Bharatiya Nyaya Sanhita, 2023.

They constitute hate speech, religious mockery, and an appeal on communal grounds, which not only erode the dignity of the electoral process but also threaten interfaith harmony.

Analysis of violations

1. **Direct appeal to religion for votes:** The speaker’s declaration — “I’m an unapologetic Hindu” — combined with the explicit contrast drawn between his “Hindu authenticity” and the Congress candidate’s “skull cap and namaz,” constitutes a clear appeal to religion to solicit votes. This violates Section 123(3) of the Representation of the People Act, 1951, which prohibits appeals based on religion, race, caste, or community.
2. **Derision and insult to religious practices:** Statements like “I’d rather cut off my head than wear a skull cap” and “I won’t insult other faiths by faking a namaz” publicly demean Islamic symbols and practices. They violate Section 356 of the Bharatiya Nyaya Sanhita, 2023, which penalises deliberate acts intended to outrage religious feelings.
3. **Vilification of political opponents using religious identity:** By mocking the Chief Minister and a Congress candidate for wearing a skull cap — and juxtaposing this with a call for “Hindu courage” — Kumar’s speech defames rival candidates on religious grounds, violating Section 123(4) of the Representation of the People Act, 1951.
4. **Promotion of enmity between communities:** The remarks are not confined to individual criticism but invoke a larger “us-versus-them” sentiment — portraying Muslim religious expression as manipulative and Hindu pride as superior. This

constitutes promotion of enmity between classes under Section 123(3A) and Section 125 of the RPA, and Section 196 of the BNS, 2023.

5. **Violation of the Model Code of Conduct (MCC):** The MCC (Part I: General Conduct) explicitly prohibits candidates from-
 - “Aggravating existing differences or creating mutual hatred between different communities.”
 - “Using religion or religious symbols for electoral gain.” The remarks in question breach both clauses and are aggravated by the fact that they were made during a formal, public, and recorded campaign event.
6. **Undermining constitutional secularism:** By measuring political legitimacy through Hindu identity and by mocking Islamic symbols, Kumar undermines Articles 14, 15, and 25 of the Constitution of India, which guarantee equality, non-discrimination, and freedom of religion. The Supreme Court in *Abhiram Singh v. C.D. Commachen* (2017) has held that the use of religion to influence electoral choice strikes at the heart of the secular democratic framework.

Legal violations

The impugned remarks at the Jubilee Hills roadshow constitute multiple statutory and constitutional breaches. The speech simultaneously derides Islamic religious expression, projects Hindu identity as the sole marker of legitimacy, and casts religious inclusivity as deceit — a tri-fold offence against the Model Code of Conduct (MCC), the Representation of the People Act, 1951 (RPA), and the Bharatiya Nyaya Sanhita, 2023 (BNS).

I. Violations under the Representation of the People Act, 1951

Section 123(2): Undue influence- The statement “If a day comes when I must wear a skull cap for votes, I’d rather cut off my head” exerts moral coercion on the electorate by suggesting that expressions of interfaith respect are shameful or disloyal. Such framing pressures voters to choose along religious lines and constitutes undue influence — substituting intimidation and moral blackmail for rational electoral choice.

Section 123(3): Appeal on religious grounds- The repeated emphasis on being an “unapologetic Hindu” and the portrayal of others’ religious gestures as opportunistic amount to a direct appeal to Hindu sentiment for electoral gain. This provision explicitly forbids any appeal to religion, religious symbols, or practices for votes. The Supreme Court in *Abhiram Singh v. C.D. Commachen* (2017) held that even indirect or symbolic religious appeals fall within this prohibition. Here, the appeal is overt and deliberate — defining authenticity in religious, not political, terms.

Section 123(3A): Promotion of enmity and hatred- By contrasting Hindu piety with the act of wearing a skull cap or offering namaz, the speech paints one community’s faith as genuine and another’s as performative or corrupt. This binary of “authentic Hindu vs. opportunist

Muslim” promotes contempt between religious groups and satisfies the ingredients of promotion of enmity under Section 123(3A).

Section 123(4): False and defamatory statements relating to rival candidates- The allegation that the Chief Minister and Congress candidate “pretended to wear a skull cap for votes” imputes deliberate deceit and insincerity, amounting to *character defamation* during a campaign. The section prohibits false or disparaging statements regarding a candidate’s personal conduct or character likely to prejudice their electoral prospects.

Section 125: Offence of promoting enmity between classes in connection with elections- The speech openly mocks Islamic practices and contrasts them with Hindu worship. By weaponising faith to create hostility between communities in the context of elections, the speaker commits an offence punishable under Section 125.

II. Violations under the Bharatiya Nyaya Sanhita, 2023

Section 196: Promoting enmity between different groups on grounds of religion- The remarks promote animosity between Hindus and Muslims by portraying the latter’s religious expression as insincere and contemptible. Kumar’s comparison between “fake namaz” and “true Hindu pride” is an act of public provocation that can incite religious disharmony — fulfilling both the *actus reus* (public act) and *mens rea* (intent to divide) of Section 196.

Section 297: Statements conducing to public mischief- Kumar’s language — suggesting he would “cut off his head” rather than engage in a gesture of interfaith respect — is calculated to inflame passions and mock coexistence. It creates public alarm and polarisation, thus attracting Section 297, which penalises speech likely to disturb public tranquillity or cause hostility.

Section 356: Insulting or outraging religious feelings- The ridicule of the skull cap and namaz — both sacred to the Muslim faith — constitutes a deliberate insult to religion, punishable under Section 356. The intent is not to engage in theological debate but to humiliate, deride, and stigmatise religious practice as unworthy of public respect.

Together, these provisions criminalise the speaker’s conduct not merely as an electoral irregularity but as hate speech intended to provoke communal contempt.

III. Breach of the Model Code of Conduct

The Election Commission’s Model Code of Conduct (Part I – General Conduct) expressly forbids:

- “Aggravating existing differences or creating mutual hatred between different communities,” and
- “Using religion or religious symbols for securing votes.”

By mocking religious attire, performing exclusivist piety, and accusing opponents of “faking namaz” for votes, the speaker’s conduct offends both clauses simultaneously. It also violates ECI advisories dated February 26, 2023, and March 15, 2024, which reiterate that religious or

communal appeals will invite strict action, particularly from candidates holding or representing public office.

IV. Constitutional violations

The Constitution mandates that the electoral process remain secular, equal, and inclusive. The impugned speech desecrates these values:

- **Preamble:** Violated by rejecting secularism as a constitutional value.
- **Article 14 (Equality before law):** Breached by portraying citizens' faith-based conduct as unequal in moral worth.
- **Article 15 (Non-discrimination):** Violated through overt religious prejudice.
- **Article 19(1)(a):** Misused — speech that humiliates religious minorities is not protected under free expression, per *S. Rangarajan v. P. Jagjivan Ram* (1989).
- **Article 21:** Dignity and security of Muslim citizens compromised through public derision.
- **Article 25:** Violated by ridiculing a constitutionally protected mode of religious expression.

This rhetoric is not “religious pride” but a constitutional breach masquerading as cultural assertion. When a political leader uses faith to measure patriotism or authenticity, he converts religion into a political weapon — striking at the secular foundation of electoral democracy.

Effect on electoral environment

The Jubilee Hills constituency is religiously diverse and has a significant mixed electorate. The deliberate mockery of Muslim practices and appeal to “Hindu authenticity” have a divisive and corrosive effect on communal harmony.

Such statements:

- Foster hostility between communities by ridiculing religious expression;
- Intimidate minority voters and discourage them from participation;
- Polarise voters on religious lines and trivialise interfaith respect; and
- Erode the credibility of the Election Commission if left unaddressed.

By suggesting that wearing a skull cap or offering namaz is “vote-seeking hypocrisy,” Bandi Sanjay Kumar’s speech not only stigmatises religious expression but also weaponises faith as a political test — in direct contravention of the secular character of Indian elections.

Prayer

In light of the above, we respectfully request that the Chief Electoral Officer, Telangana, and the Director General of Police, Telangana:

- Take immediate cognisance of this complaint and verify the footage of the roadshow.
- Register an FIR against the concerned BJP leader under the Representation of the People Act, 1951, and the Bharatiya Nyaya Sanhita, 2023.
- Debar BJP leader Bandi Sanjay Kumar from further campaigning pending inquiry.
- Issue a public censure and advisory to all political parties in Telangana to refrain from religiously provocative campaign speech.
- Forward the complaint to the Election Commission of India (ECI) for further action under its constitutional powers under Article 324.

Conclusion

The statements made at the Jubilee Hills roadshow are a textbook example of hate speech and communal polarisation — delivered in the middle of an election campaign to divide voters along religious lines. When a political leader declares that wearing a skull cap merits decapitation and ridicules namaz as a “performance,” it transcends political speech and enters the domain of hate and humiliation.

We urge the Election Commission of India and State authorities to take swift, exemplary action to preserve the integrity of the democratic process and uphold India’s secular constitutional order.

Yours faithfully,

Nandan Maluste

President, Citizens for Justice and Peace

Teesta Setalvad

Secretary, Citizens for Justice and Peace

Annexure

Annexure A: Video clip of Bandi Sanjay Kumar delivering the speech