



Date: August 2, 2023

To,

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**Subject: Complaint against selective targeting and hate incidents against Muslims in Haryana**

Respected Sirs,

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 recent incidents that took place in Haryana during a religious procession. The said incident has led to spreading of communal tensions in many districts of Haryana, which has resulted in the incessant targeting of Muslims in the state. There are reports that people from the Muslim community are being targeted, killed, harassed, and the police are siding with the perpetrators. A mosque was also burnt in Gurugram, resulting in the death of one Muslim. It is essential that these targeted attacks are stopped.

Many news reports have been surfacing regarding the “clashes” that broke out in the Nuh district of Haryana while a procession of Vishwa Hindu Parishad- Bajrang Dal was being taken out. As the investigation will be conducted by the Police into the events that led to the said incident, where two home guards were killed and many sustained injuries, it is important that the build-up to the violence is also looked into.

It is essential that the said incident is not looked as an isolated event. Planning of the said procession had been in the play for many days. A background of the said procession has been provided by us below.



## **Background and build-up**

### **1. A video by Monu Manesar:**

Prior to the procession, Monu Manesar had released a video and said he would participate in a religious procession. Through this three days old video, Monu Manesar could be seen appealing to his supporters to attend the procession. In the said video, Monu Manesar assured his supporters that he will be present at the procession with his team.

While Monu Mansesar did not participate in the procession on the advice of the VHP, which feared that his presence would create tension, Monu Manesar's name has been at the centre of communal clashes that broke out during the Vishva Hindu Parishad procession.

Even though I am sure that the police are aware of the gravity of the crimes associated with Monu Manesar, I am reiterating the same. Monu Manesar, who is the head of the cow vigilante wing of Bajrang Dal in Haryana, is an accused of kidnapping and killing two suspected cow smugglers called Junaid and Nasir in Rajasthan's Bharatpur. The said incident had taken place in February this year. Even after this, Monu Manesar remains an active member of Bajrang Dal. As far as media reports indicate there is no move by the law and order authorities to act against the organisation that is fostering such criminals, hate mongers.

The video can be viewed here:

<https://twitter.com/AshrafFem/status/1685319195033272320>

We also request you Sir to please peruse the news reports on this gentleman, Monu Manesar listed below:

*A news article of Hindustan Times dated August 2, 2023 has been attached and annexed as Annexure A*

*A news article of Times of India dated August 1, 2023 has been attached and annexed as Annexure B*

### **2. Facebook Live by Bittu Bajrangi:**

Two days prior to the procession, Between 8-9 a.m., Bittu Bajrangi, a senior Bajrang Dal leader in Haryana and a history sheeter, did a Facebook live before heading to Mewat. A Faridabad based cow vigilante, Bajrangi can be seen and heard instigating violence and challenging the Muslims living in the region to face his gang. He can be heard saying "we are letting all of you beforehand that we will be coming so that you all do not complain that we did not meet you."

The gang, all of whom were donning the saffron scarf, can then be heard raising the religious slogan of "Jai Shree Ram".

The video can be viewed here:



[https://twitter.com/zoo\\_bear/status/1686102208759394304/video/1](https://twitter.com/zoo_bear/status/1686102208759394304/video/1)

In another provocation two days before the violence broke out, a Video put out on the morning of August 2, is relevant and extremely worrying:

“Few hours before violence erupted in Haryana, Surendra Jain, General Secretary of Vishwa Hindu Parishad was present at Nuh's Nalhar Mahadev Mandir (destination of procession) where he delivered hate speech against Muslims in Mewat. We have obtained video of his speech, which can be viewed here:

<https://twitter.com/HindutvaWatchIn/status/1686619915678048256>

### **The procession by Vishwa Hindu Parishad- Bajrang Dal and provocations**

As per media reports, the said procession ‘Brij Mandal Jalabhishek Yatra’ was taken out by the VHP and Bajrang Dal on Monday, July 31. The yatra was flagged off from Gurugram’s Civil Lines by BJP district president Gargi Kakkar.

It is essential to note that the said procession to Mewat region that resulted in violence was led by notorious far-right leaders, including cow vigilantes. One group was led by Rahul Dhillon alias Rahul Boxer who runs a gang & owns heavy weaponry. Even in his video with a local reporter after violence started, Rahul Boxer can be heard making calls for unification against the “1000s that are out there”.

The video can be viewed here:

<https://twitter.com/HindutvaWatchIn/status/1686215870924623872>

In this connection it is also pertinent to note a reported statement of the union minister of state for home expressing strong views on why Arms were allowed to be carried by participants in the religious procession on Monday, July 31.

Shri Rao Inderjit Singh said he approached Chief Minister Manohar Lal Khattar and the Union Home Ministry to send Central forces to Nuh after realising that the police force was "insufficient".

### **‘Who gave weapons to the religious yatris at Nuh?’ asks Union MoS Rao Inderjit Singh)**

“WHILE stating that there was provocation from both sides resulting in the [violence in Nuh, Haryana](#), on Monday, Gurgaon MP and Union Minister of State (Independent charge) Rao Inderjit Singh said it was not right for participants in a religious yatra to be carrying swords and sticks.

*“Kisne hathiyar diye unko is procession mein le jaane ke liye? Koi talwar leke jata hai procession mein? Lathi-dande leke jata hai (Who gave weapons to them for the procession? Who goes to a procession carrying swords, or sticks)? This is wrong. A provocation took place*

from this side too. I am not saying there was no provocation from the other side,” Singh said, speaking to *The Indian Express*.

***A news article of Indian Express dated August 2, 2023 has been attached and annexed as Annexure C***

### **Violence at Nuh:**

Tension was brewing in the region after Bajrang Dal member Monu Mansar had released the video, as people were angry that he was going to be a part of the procession. In addition to this, reports have also claimed that Bittu Bajrangi’s live video from Ballabgarh was also a trigger for the clash. As the procession vehicles reached Nuh Chowk, a handful of teenagers pelted stones on the vehicles. What ensued was chaos and unprecedented violence. Cars were then set ablaze.

People in the procession also hurled stones back at the youths who had stopped them, reports said. A religious “clash” broke out. Some local media reports claimed that both the sides raised religious slogans flaring communal tensions leading to the clash with the police completely outnumbered by the mob. Later, many took refuge in a nearby temple as police tried to evacuate them to safety.

### **Videos from the site of “clash”:**

There are videos present on social media where a reporter of Aaj Tak was being threatened by Bajrang Dal members to not take any videos. In the videos, the members can be seen donning a saffron scarf, carrying guns, running and pelting stones. The reporter was also asked by one of the members with a gun if he is a Hindu or not. This video was from the Mewat region of Haryana.

The video can be viewed here:

[https://twitter.com/zoo\\_bear/status/1686102208759394304/video/3](https://twitter.com/zoo_bear/status/1686102208759394304/video/3)

In another video of Aaj Tak, a police van can also be seen at the same road where the big Bajrang Dal mob can be seen walking with guns and stones. Exactly in front of the police, one person can also be seen throwing a stone at a house. Sounds of firing can also be heard in the background, along with the slogan of “Jai Shree Ram”.



The video can be viewed here:

[https://twitter.com/zoo\\_bear/status/1686102208759394304/video/4](https://twitter.com/zoo_bear/status/1686102208759394304/video/4)

Photos of swords in saffron in the cars of the procession are also available on social media.

The post can be viewed here:

<https://twitter.com/ZakirAliTyagi/status/1685978079448199168/photo/4>

Reportedly, two home guards were killed and at least 15 others were injured including policemen following violence that engulfed Haryana's Nuh.

### **Impact**

As reports of violence started surfacing from Nuh, anti-Muslim hate and violence started spreading to other districts and parts of Haryana. Muslims, places of worship, and houses were then targeted by Hinduwaadi mobs. Even as curfew was imposed in Nuh area of Haryana, and internet services suspended in Sohna, Pataudi and Manesar areas, violence against Muslims have taken a malicious turn.

### **Mosque vandalised, deputy imam killed**

On August 1, a mosque in Gurgaon's Sector 57 was vandalised and set on fire. Media sources also reported that the mosque was attacked at 12:30 am last night by a large armed mob which fired on the mosque and then set it on fire. The chief imam of the mosque was away from his village last



night. But the naib-imam or deputy imam, who would lead prayers in his absence, was assaulted, stabbed 13 times with swords, etc. and his throat slit before he was killed. The deputy imam was just 19 years old. Sources at the hospital the two were taken to – W Pratiksha Hospital – confirmed to the media that one of the victims was brought dead, with multiple stab wounds in his chest. Another person present in the premises was also badly beaten up and shot in the knee. He is presently in the ICU.

Notably, the Sector 57 mosque was the only mosque on a government-allocated land in the planned urban developed area in Gurugram.

The video can be viewed here:

<https://twitter.com/HateDetectors/status/1686229238578622464>

### **Hate speech:**

Even as police claimed that the tensions were returning to normal in Haryana, videos showing members of Bajrang Dal taking out rallies, raising offensive and genocidal slogans and provoking people have been surfacing.

A video from Bhiwani, Haryana showed that the Bajrang Dal organised a rally where participants shouted slogans, used derogatory words and called for violence against Muslims. “*Jab Mulle kaate jaayenge, Ram Ram Chillaayenge* (When Muslims would be chopped off, they would cry Ram Ram).” Notably, police officers can also be seen standing behind and beside the mob. They are neither stopping the mob from raising such inciteful slogans, nor taking any action.

The video can be viewed here:

<https://twitter.com/HindutvaWatchIn/status/1686240869634957313>

Another video from Bahadurgarh, Haryana shows a saffron donning mob of Bajrang Dal members taking out a rally and shouting hateful, provocative and violence invoking slogans: “**Desh ke gaddaron ko, goli maro salon ko** (shoot the traitors of our country).” A police van can be seen crossing the mob, without taking any action. A traffic police cop can also be seen walking alongside the mob.

The video can be viewed here:

<https://twitter.com/HindutvaWatchIn/status/1686252710167777280>

A man holding a sickle can be seen raising a genocidal call against Muslims. In the said video, he asks Hindus from the surrounding area of Mewat to unify and take action against these “jihadis”.



The video can be viewed here:

<https://twitter.com/Deshpremiindia/status/1686306252085993472>

### **Selective targeting:**

**Gurgaon-** As per a report by Meer Faisal, a respected journalist, at some places in Haryana's Gurgaon, Hindutva goons were asking labourers sleeping in shops whether they are Mewatis or Muslims. After asking, they are targeting them.

**Khatela, Palwal-** Reportedly, Khubi Khan had a tire shop in Khatela village, Palwal, which was set on fire by a Hindu mob around midnight. It is being alleged that cops were present at the site when the mob set the shop on fire.

The video can be viewed here:

<https://twitter.com/meerfaisal01/status/1686126448380370945>

**Hodal, Phalwal-** A Muslim driver named Ibrahim was beaten up by sticks and his vehicle was damaged by the members of Bajrang Dal.

The video can be viewed here:

<https://twitter.com/HindutvaWatchIn/status/1686228348152717313>

Members of the Bajrang Dal have been maliciously whipping up the emotions of the people of Haryana against the Muslim minorities in the state. Before this escalates further and the death toll rises, having reached five already, this needs immediate attention as this behaviour cannot be tolerated by any means, even under the law. Sirs, we are seeing an active pattern of alienation that has just been growing against the minorities in this country along with the indifferent shown by the law enforcement authorities. Many more videos are surfacing where individuals donning saffron scarfs can be seen using guns with a police officer standing beside them.

Slowly these attacks have started to play into the deep communal divide the authorities are ignoring, or complying with, and we are now on the verge of violence, targeted violence and social disharmony becoming the norm in our society. India as a democracy is committed to an ideology of toleration but such attacks and the increasing frequency of such attacks is dangerous and needs immediate action. These incidents have gone beyond hate speech and are manifesting into violent acts against minorities who are not even perceived as victims anymore. Public order and security of the state is paramount but with these incidents that go unnoticed with no accountability, we are heading towards lawlessness.





These incidents of inciteful hate speech, slogans calling for genocide and targeted violence are just another step towards something catastrophic that could even escalate into a full blown genocide and we urge you to acknowledge and investigate these issues as it affects a considerable number of people.

The Law Commission Report No. 267 on Hate Speech also states:

*“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 effects 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 affect the right to life of every individual.”*

We are aware that First Information Reports (FIRs) have been filed against ‘unidentified’ persons for vandalising the mosque and killing the deputy imam. As provided by officials, some arrests have also been made and the investigation is underway. We are also aware that the police have registered 11 FIRs in Nuh district and detained 27 people in connection with the rioting. But we are writing to raise the issue of urgency and the need for a faster investigation in this case. Additionally, we are urging that police take cognizance of the speeches that triggered the violence at Nuh as well as the hate speeches being delivered post the incident. It is essential that peace be restored by arresting Monu Manesar and Bittu Bajrangi, the organisers of the said procession and the members of the Bajrang Dal that carried guns and weapons.

**Given this background, it is both urgent and essential that the actions by these people in districts of Haryana and those of Monu Manesar and Bittu Bajrangi be acted upon and criminal charges are levied on them for uttering such words that led to causing problems for the safety and security of the minority community in our country, threaten and intimidate Muslims and also threaten social harmony in general.**

### **Penal Implications**

#### **Under Indian Penal Code:**

Statements and actions 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:

120A- Definition of criminal conspiracy

121- Waging, or attempting to wage war, or abetting waging of war, against the Government of India

141- Unlawful assembly

144- Joining unlawful assembly armed with deadly weapon 149- Every member of unlawful assembly guilty of offence committed in prosecution of common object

153- Wantonly giving provocation with intent to cause riot—if rioting be committed—if not committed

153A- Promoting enmity between different groups on grounds of religion, race, place of birth, residence, language, etc., and doing acts prejudicial to maintenance of harmony.

153B- Imputation, assertions prejudicial to national-integration.

268- Public Nuisance

295A- Deliberate and malicious acts, intended to outrage religious feelings of any class by insulting its religion or religious beliefs

298- Uttering words, etc., with deliberate intent to wound religious feelings

503- Criminal intimidation

504. Intentional insult with intent to provoke breach of the peace

505 - Statements conducing to public mischief and Statements creating or promoting enmity, hatred or ill-will between classes

### **Under Arms Act:**

Section 2 (1) (c) of the Arms Act defines “arms” as:

Articles of any description designed or adapted as weapons for offences, or defence, and includes firearms, sharp-edged and other deadly weapons, and parts of, and machinery for manufacturing arms, but does not include articles designed solely for domestic or agricultural uses such as a lathi or an ordinary walking stick and weapons incapable of being used otherwise than as toys or of being converted into serviceable weapons.”

When it comes to sharp object that may be used as weapons, according to Schedule 1 – Rule 3 (V) that deals with arms other than firearms:

Sharp-edged and deadly weapons, namely-Swords (including sword-sticks), daggers, bayonets, spears (including lances and javelins); battle-axes, knives (including kripans and khukries) and other such weapons with blades longer than 9” or wider than 2” other than those designed for domestic, agricultural, scientific or industrial purposes, steel baton; “Zipo” and other such weapons, called “life preservers”, machinery for making arms, other than category II, and any other arms which the Central Government may notify under section 4.”

Under **section 5** of the Arms Act, it is prohibited to offer arms for sale, unless he holds a licence and the punishment for the same is imprisonment of up to 7 years. Under **section 20**, a police officer or any other public servant or any person employed or working upon a railway, aircraft, vessel, vehicle can arrest without warrant any person found carrying or conveying any arms under suspicious circumstances. Under **section 22**, the District Magistrate is empowered to issue orders for search and seizure if he/she has reason to believe that any person residing within the local limits as in his possession any arms or ammunition for any unlawful purpose or such person cannot be left in the possession of any arms or ammunition without danger to the public peace or safety.

Under **section 25(3)** whoever sells or transfers arms without informing the district magistrate or the police officer in charge of the nearest police station shall be punishable with imprisonment up to 6 months.

It also amounts to violations under the Indian penal Code under the following sections:

122- Collecting arms, etc., with intention of waging war against the Government of India

153AA- Punishment for knowingly carrying arms in any procession or organising, or holding or taking part in any mass drill or mass training with arms.

The Code of Criminal Procedure (CrPC) also enumerates the powers of the District Magistrate in such instances:

**‘144A. Power to prohibit carrying arms in procession or mass drill or mass training with arms.—(1)** The District Magistrate may, whenever he considers it necessary so to do for the preservation of public peace or public safety or for the maintenance of public order, by public notice or by order, prohibit in any area within the local limits of his jurisdiction, the carrying of arms in any procession or the organising or holding of, or taking part in, any mass drill or mass training with arms in any public place.

There are also powers to **disperse unlawful assemblies** (sec 129).



### **Hate speech:**

Such statements 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:

In the light of this, we urge you to take action as per the following sections of IPC against the speakers:

153A- Promoting enmity between different groups on grounds of religion, race, place of birth, residence, language, etc., and doing acts prejudicial to maintenance of harmony.

153B- Imputation, assertions prejudicial to national-integration.

268- Public Nuisance

503- Criminal intimidation

504. Intentional insult with intent to provoke breach of the peace

505 - Statements conducing to public mischief and Statements creating or promoting enmity, hatred or ill-will between classes

In addition to this, we request action be taken against the repeated hate offender Monu Manesar and Bittu Bajrangi who, time and again live streams the harassment of Muslims and utters words derogatory to the minority community. Sir, it is important to note that this is not the first time that both the afore-mentioned have acted in such a manner with the Muslims. We at CJP, have regularly tracked their speeches and facebook lives, given by blatant impunity. Sir, we are also generally concerned with the overall unsafe atmosphere for the Muslim community that is being generated through the systemic and perpetrated use of hate speech and writing within the state and urge that urgent steps are taken to curtail and prosecute the same.

### **Supreme Court Directives on Provocative Hate Speech:**

**We are sure that the Police is aware of a slew of directives that the Hon'ble Supreme Court has issued time and again for effective prevention of social disharmony, hate crimes and**



**communal violence. These specify measures that need to be taken have speakers who are repeat offenders and organisations with a similar record keep violating hate speech law.**

**These include:**

On April 28, the Supreme Court, in a significant development, the Supreme Court extended the application of its October 2022 order (which directed the Delhi, Uttar Pradesh and Uttarakhand Police to take suo moto action against hate speech cases) to all States and Union Territories. So now, all States/UTs, including Maharashtra, are enjoined and bound to take suo moto action to register FIR against hate speeches, without waiting for any formal complaint. The bench comprising Justices KM Joseph and BV Nagarathna 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 motu 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."*

In its October 21, 2022 order, the Supreme Court had issued interim directions to the state Police wherein it had directed that:

*As and when any speech or any action takes place which attracts offences such as Sections 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."*

The court had further said that non-compliance would amount to contempt of court:

*"We make it clear that any hesitation to act in accordance with this direction will be viewed as contempt of this Court and appropriate action will be taken against the erring officers,"* the order reads.

We would also 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."

In *Mohd. Haroon and others v. Union of India and another* (2014) 5 SCC 252, it has been clearly held that it is the responsibility of the State Administration in association with the intelligence agencies of both the State and the Centre to prevent recurrence of communal violence in any part of the State. If any officer responsible for maintaining law and order is found negligent, he/she should be brought within the ambit of law.

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.”

In the case of *Tehseen Poonawalla v UOI and ors* (2018) 9 SCC 501 the Supreme Court held that, it is the responsibility of the States to prevent untoward incidents and to prevent crime. The court further gave specific directions for the police to adopt preventative measures, in which a senior police officer, not below the rank of Superintendent of Police, shall work as Nodal Officer in each district. Such Nodal officers were then directed to constitute a special task force so as to procure intelligence reports about the people who are likely to commit such crimes, as mob violence and lynching, or who are involved in spreading hate speeches, provocative statements and fake news.

In addition to this, the Nodal Officer, along with the Station House officers, have been directed to take steps to prohibit instances of dissemination of offensive material through different social media platforms or any other means for inciting tendencies leading to mob-violence and lynching.

The court further said,

17. There can be no shadow of doubt that the authorities which are conferred with the responsibility to maintain law and order in the States have the principal obligation to see that vigilantism, be it cow vigilantism or any other vigilantism of any perception, does not take place. When any core group with some kind of idea takes the law into their own hands, it ushers in anarchy, chaos, disorder and, eventually, there is an emergence of a violent society. Vigilantism cannot, by any stretch of imagination, be given room to take shape, for it is absolutely a perverse notion... No one has the authority to enter into the said field and harbour the feeling that he is the law and the punisher himself. A country where the rule of law prevails does not allow any such thought. It, in fact, commands for ostracisation of such thoughts with immediacy.

20. Hate crimes as a product of intolerance, ideological dominance and prejudice ought not to be tolerated; lest it results in a reign of terror. Extra judicial elements and non-State actors cannot be allowed to take the place of law or the law enforcing agency. A fabricated identity with bigoted approach sans acceptance of plurality and diversity results in provocative sentiments and display of reactionary retributive attitude transforming itself into dehumanisation of human beings. Such an atmosphere is one in which rational debate, logical discussion and sound administration of law eludes thereby manifesting clear danger to various freedoms including freedom of speech and for expression. One man's freedom of thought, action, speech, expression, belief, conscience and personal choices is not being tolerated by the other and this is due to lack of objective rationalisation of acts and situations’.

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 utmost 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 criminalises written or spoken words. Further, criminalisation 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.”

### **Our prayer**

It can be clearly deduced from the provocative and instigating statements made by the speakers at post the violence at Nuh area of Haryana as well as the act of brandishing weapons and arms that the penal provisions of Indian law are attracted here. Additionally, the law and directives of the Hon’ble Supreme Court require that in the case of such speeches, wherein religious minorities of our country are being attacked and sentiments that have the potential to disrupt social peace and cause violence and harm to marginalised sections, the police needs to act and act promptly.

Such incidents in Haryana have increased manifold, where the perpetrators are usually cow vigilantes or/and members of the Bajrang Dal. A sense of anger and fear are both being provoked by the Bajrang Dal and the Vishwa Hindu Parishad. In light of this, the Commission may invoke any other sections of IPC or provisions of any other relevant law against the speakers, in addition to the ones mentioned above, as they may deem fit and necessary in this case.



We, thus urge you to take immediate and stringent action against Hindutva outfits- Bajrang Dal and Vishwa Hindu Parishad for organising such rallies and giving any hate speeches, or leading mobs to vandalise any businesses owned by Muslims, Muslim homes or Mosques. We humbly request you to look into this grave matter at the earliest, in the interest of the public and also in the interest of maintaining law and order and public order in the state and accordingly take stringent action

Therefore, we urge you to take cognizance of the videos provided by us in the complaint, register a case against the perpetrators identified and arrest them for the cognizable offences. Any action against them and regular updates against these perpetrators to the wider public would go a long way in re-building faith and confidence of the people in the rule of law in general.

**It is pertinent to note here that CJP has also written a complaint to the Director General of Police, Haryana, urging them to take prompt action against the selective targeting of Muslims. The said complaint was sent by us on August 2, 2023.**

We, at CJP, urge this Hon'ble Commission to:

1. Take cognisance of this complaint under section 9(1)(d) of the National Commission for Minorities, 1992;
2. To direct the attendance of Monu Manesar and Bittu Bajrangi along with the involved members of the Bajrang Dal and VHP 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 DGP, Haryana or any other appropriate authority to investigate the matter thoroughly, register FIRs against such blatant hate speech and illegal usage of weapons, ensuring that all relevant sections of the Indian Criminal law and Arms Acts are included in the said criminal complaint;
5. Issue directions to the Haryana Police 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 Haryana Police 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

**Annexures:**

Annexure A- Copy of article by Hindustan Times dated August 2, 2023

Annexure B- Copy of article by Times of India dated August 1, 2023

Annexure C- Copy of article of Indian Express dated August 2, 2023