



August 11, 2021

To,

Shri Atif Rasheed

Hon'ble Vice Chairman
National Commission for Minorities
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CC: Shri B. Anand

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Under Secretary, National Commission for Minorities
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Subject: Complaint against Yati Narsinghanand Saraswati for the latest example of his hateful speech against Muslim community and inciting Hindus to act against them; to urge a *suo motu* Inquiry/Investigation by the NCM

Dear Sir,

The matter we are once again high-lighting in this complaint is a culmination of several acts of wilful violations of the law by one individual and his cohorts that amount to inciteful speech directed to exhort violent crimes against a section of the Indian people, its minorities, Indian Muslims. We, at Citizens for Justice and Peace (CJP) are deeply concerned about a series of such statements, captured on video – some of them at least – that have been widely circulated on social media. Specifically, this is a public address by Yati Narsinghanand Saraswati spreading hatred against Muslim community and inciting Hindus to act against them.

‘Spiritual leader’ Yati Narsinghanand Saraswati is the temple priest at the Dasna Devi temple and is a known serial hate offender, who openly supports acts of genocide and violence against Indian Muslims and strives to create an India sans Muslims.

The National Commission for Women has already taken cognisance of the misogynistic video which is available in scattered clippings shared by many users on Twitter. On August 7, 2021, the National Commission for Women has written to the Director General of Police, Uttar Pradesh to register an FIR against him under relevant Indian Penal Code sections in the matter and, also intimate the Commission at the earliest.

The letter written by NCW to the DGP, Uttar Pradesh Police is marked and annexed hereto as Annexure A.



The hate-filled video

Yati, throughout the video is propagating misogynistic views against women of both the Hindu and Muslim community and is seen provoking Hindus against Muslims, while painting the latter as the devil and the culprit behind many evils plaguing Hindu women.

In the video he says, “*Hamari kamzori ke karan in jihadiyon ka shikar ban rahi hai*” (Due to our weakness, our women are falling prey to these ‘Jihadis’). In a particularly derogatory reference, he has also said that all workers like plumber, electrician, delivery boy, vegetable vendors are Muslims and they enter our homes and befriend the women. This will tend to not only create a prejudice against honest, hard-working people from the Muslim community who might be working as plumbers, electricians etc, but have the distinct possibility –given the political and social capital enjoyed by the speaker—to prejudicially affect their livelihood. This is no conjecture but this has been actively witnessed in 2020 when a clear bias and mass prejudice was created by a narrative that the Corona Virus (Covid-19) was being spread *only* by Tablighi Jamaat members and the people from Muslim community who gave them shelter. It was presumed that the entire Muslim community was responsible for the pandemic spreading through the country and resultantly, the community faced several incidents of discrimination and social ostracization where people refused to accept deliveries from Muslim shop owners or vegetable/fruit vendors and in many instances, they were publicly shamed and abused as well. (In this connection, we would like to mention that one young Muslim man in Himachal Pradesh allegedly died by suicide because of such ostracisation)¹.

Hamari kamzori ke karan in jihadiyon ka shikar ban rahi hai (Due to our weakness, our women are falling prey to these ‘Jihadis’)-This is vile narrative being pushed merely to make Hindus feel threatened of the existence of a minority community like the Muslim community. Such an exaggerated and false narrative is being driven by creating a non-existent threat among the Hindus to provoke them to reject people from Muslim community in every walk of life. There is clearly an intention to draw a divisive line between both communities by openly spreading hatred against one community.

Yati Narsinghanand Saraswati also makes deplorable statements like most prostitutes are Hindu women and they are the ones who fell in love ‘Jihadi Musalman’ and got blackmailed by their objectionable pictures. This is derogatory towards *all* women especially to those sex workers who come from different sections of society, facing different circumstances with completely different realities from what people like Yati assume of them. By such utterances, he is not only stating that only Hindu women are pushed in prostitution (questionable, factually) that too, due to the (mis)deeds of Muslim men as they intimidate them and compel them into the flesh trade. Not only does this non-factual and selective utterance creates a specific animosity against Muslim men; this hate and inciteful speech has the potential to target Muslims all over, *because* such hate filled speech that reaches lakhs of people over the internet. The reach of such hate filled content cannot be determined as once it is uploaded on any social media website, it can be downloaded and circulated widely on multiple other platforms with even more vile comments and opinions and the repercussions of the same are unfathomable.

¹ <https://www.thequint.com/news/india/mohammad-dilshad-suicide-himachal-pradesh-una-covid-19-suspicion>

He also repeatedly calls out “*napunsakta*” (impotency) or “*beejrapan*” (equivalent to derogatory word eunuch) as the weakness in Hindu men, thus instigating men to resort to unspeakable actions that could fuel crimes against women, irrespective of their community.

The assumptions of this head priest of the Dasan temple are a defiance of modernity. He says that women enter college and start looking for a boyfriend. This statement is deplorable as it is evident of inherently misogynistic views. In a country where any government is committed to the equal access of education of all women, including higher education, and where –unfortunately– among populations in small towns and villages, child marriage is still prevalent and educating the girl child is not given much importance, such a message is not only retrograde but could actually discourage families from sending girls from their families to schools and colleges to ‘protect’ them. Throughout all the speeches evident on these clippings Yati Narsinghanand Saraswati is not only peddling hate, posing these assertions as clear facts and truth but abusing the social and political capital enjoyed by him and his institution.

He says that if a girl falls in love with a Muslim boy, she has no threat from Hindus or Muslims because *Hinduon me itni takat nahi ki wo musalman ko kuch keh sake* (Hindus don’t have the guts to say anything against Muslims). In a country where inter-faith couples are increasingly facing threats from not just their own families but society at large and in some states even by law under the anti-conversion laws, such statements will incite more people to intrude into personal lives of such couples and also pose a threat to their life.

Musalman hamari beben betiyo ko mil baat kar khana chahte hai (Muslim want to share our Hindu women amongst themselves). He says that in Islam, they can sell and buy women and snatch women, rape them, this is real Islam; Islam is an organized gang of criminals. That this is outright malicious, vicious, disrespectful and his speeches displays his lack of respect for women, treating them worse than cattle.

TRIGGER WARNING: All videos of Yati’s speech was downloaded by CJP on August 10, 2021 and is marked and annexed hereto as Annexure B, C, D, E, F.

A lasting damage that such speeches widely heard and relayed cause is to public discourse and the social climate. Once into public discourse, such sentiments –stigmatisation and demonization –get legitimised within society as they are shared over messaging platforms. Their actual reach is unfathomable and their effect is both indiscriminate and unsurmountable. It is necessary to use legitimate practices available under the law to stop such abhorrent activities using due process of law, identify them and take lawful action. Short of that, they threaten to plague society with their vicious agenda of creating a communal divide, which will not just destroy the social fabric but will eventually become an impediment in the socio-economic growth of the country. Such provocation could either lead to isolated incidents of violence, where people tend to take law in their own hands or could turn into one colossal incident of organised violence aimed at a community, merely because such inciteful videos are available on a public platform for viewing. Besides, they also render, through their perpetual use, a section of Indians as outcaste, ostracised and second-class citizens creating a sense of alienation and resentment.

The **Law Commission Report**, 2017 has also stated that “Hate Speech has the potential of provoking individuals or society to commit acts of terrorism, genocide, 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 right to life of every individual.”

In **Pravasi Bhalai Sangathan v. Union of India**, (Ref: AIR 2014 SC 1591, at para. 7.) 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.

Hate ecosystem

As the chief priest of the Dasna temple in Ghaziabad, it appears that Yati has created Dasna as a breeding ground for training and manipulating politically-motivated Hindus to act against Muslims and disrupt harmony. His disciples have been pulled up by the Police on grounds of law-and-order problems, time and again, and it seems like Hindu men are being systematically radicalised (not trained) through sustained utterances of men like Yati Narsinghanand who calls these men “*mere bachche*” (my children). On July 22, 2021, CJP had approached your esteemed authority with a complaint against one Vikas Sehrawat, who is a disciple of Yati Narsinghanand Saraswati, and who has caught the eye of the Delhi Commission for Women (DCW) as well. Our complaint has highlighted the vile statements made by Sehrawat while being out on bail, spreading misinformation and hate against Muslim women.

CJP complaint to NCM dated July 22, 2021 is marked and annexed hereto as Annexure G.

On August 2, 2021, the DCW wrote to the Cyber Cell, Delhi Police to register an FIR against Vikas Sehrawat, Shringi Yadav, Sukhdev Sahdev, Rambhagat Gopal and Kunal Sharma for allegedly “posting derogatory content and inciting people to commit crimes against Muslim women.” All these men have a reputation of perpetuating hate and don’t fear the law, despite being arrested. We would like to mention here that CJP had approached your esteemed authority on March 18, 2021, against Shringi Yadav (another disciple of Yati) who was responsible for beating a young Muslim boy Asif, for entering the Dasna Temple and the subsequent justification of the same by Yati. The young boy who had entered the temple to drink water was brutally assaulted by Shringi Yadav and Yati later justified his act by saying that he has trained his followers to give befitting replies to trespassers from a minority community. As per media reports, Shringi is out on bail.

CJP complaint to NCM dated March 18, 2021 is marked and annexed hereto as Annexure H

Sukhdev Sahdev, also a disciple of Yati Narsinghanand, has pictures with the priest on his Twitter handle, and tweets that opines that non-Hindus should be banned within 100 kilometer radius of the Ayodhya Mandir, only strict vegetarians/Jains/Sikhs can enter the Ram mandir and it cannot be another “Taj Mahal” (made by a Mughal emperor). A link to his profile may be seen here:

<https://twitter.com/SukhdevSahdev>

Sukhdev Sahdev’s picture with Yati is marked and annexed hereto as Annexure I.



Kunal Sharma's name had emerged in the infamous "sulli deals" case where he allegedly put-up derogatory posts against Muslim women to "auction them". In this despicable and clearly criminal exercise, he shared numbers of Muslim women on social media and named it "*Muslim Ladki Patao Abhiyan*" (programme for wooing Muslim women). That after an FIR was registered by the Cyber Cell, Delhi Police, on July 8, 2021 your esteemed authority has sought a detailed action-taken report against Kunal Sharma and Shringi Yadav, who it claims are the perpetrators of the online attacks.

Rambhagat Gopal is the same individual who had shot at an anti-CAA protester outside Jamia Milia Islamia on January 30, 2020, and was denied bail on July 15, 2021, by a Gurugram court in Pataudi for allegedly making communal speeches at a Mahapanchayat in Pataudi. He was booked under sections 153-A and 295-A of the Indian Penal Code for voluntarily participating in an event and giving "hate speeches targeting a particular religious community and used inflammatory language to instigate the mob to abduct girls of particular religious community and to kill persons of that community." The order in the case **State vs Rambhagat Gopal Sharma** (FIR NO. 265 of 2021) delivered by Judge Mohammad Sageer read, "The act of the accused i.e., hate speech qua instigating abduction and killing of girls and persons of a particular religious community is itself a form of violence and such people and their inflammatory speeches are an obstacle to the growth of a true democratic spirit. It leads to destruction of our society as people will fight based on religion. Religious tolerance is the need of the time and not Intolerance. It is necessary for individuals within the society to get along, especially when a variety of cultures and the people with different religious beliefs live in one community or nation." Eventually, he was granted bail on August 2, 2021.

We humbly urge the Commission to not only see this as an isolated incident or Yati as a lone wolf. This is not just about *only* indulging in offensive hate speech, as this kind of "organised activity" encompasses acts that are insulting, derogatory, discriminatory, provocative or even such that it incites and encourages use of violence or results in violent backlashes. We are trying to highlight how Yati and his many known and unknown disciples are bending and breaking the law. There is growing law and order situation at our hands and if this is not dealt with strict action, we shall have a catastrophic situation at our hands.

That recently, the National Human Rights Commission has also registered a case against Yati for his hate speech against Islam made in April this year, after a complaint was filed by Haji Mohd. Sameer Boghani, president of the Madariya Sufi Foundation. Yati, along with his disciples have been embroiled in FIR's in several cases, but despite this, they function under complete impunity with no respect for the law or any fundamental freedoms of equality or secularism.

Violations of Indian Penal Code

Further, the broadcast is also prejudicial to the maintenance of harmony and has disturbed public tranquillity as it blatantly promotes hatred, distrust, and discrimination against the minority community by placing blame on them for some sort of deep-rooted conspiracy against the Hindus. In doing so, the statements displace harmony and exacerbate religious tensions by portraying Muslims as villains and wrongdoers. Therefore, the ingredients for an offence under Section 153A(a) are satisfied and an offence under the section is clearly made out, with punishment of imprisonment extendable to 3 years, or fine, or both.

Yati Narsinghanand's videos trying to incite communal violence in India attract certain provisions of the Indian Penal Code (IPC) like:

Section 153A: “Whoever by words, either spoken or written, or by signs or by visible representations or otherwise, promotes or attempts to promote, on grounds of religion, race, place of birth, residence, language, caste or community or any other ground whatsoever, disharmony or feelings of enmity, hatred or ill-will between different religious, racial, language or regional groups or castes or communities, or commits any act which is prejudicial to the maintenance of harmony between different religious, racial, language or regional groups or castes or communities, and which disturbs or is likely to disturb the public tranquillity, or shall be punished with imprisonment which may extend to three years, or with fine, or with both.”

Section 295A: “whoever, with deliberate and malicious intention of outraging the religious feelings of any class of citizens of India by words, either spoken or written, or by signs or by visible representations or otherwise, insults or attempts to insult the religion or the religious beliefs of that class, shall be punished with imprisonment of either description for a term which may extend to three years, or with fine, or with both.”

Section 298: “Whoever, with the deliberate intention of wounding the religious feelings of any person, utters any word or makes any sound in the hearing of that person or makes any gesture in the sight of that persons or places any object in the sight of that person, shall be punished with imprisonment of either description for a term which may extend to one year, or with fine, or with both.”

Section 505(2): “Statements creating or promoting enmity, hatred or ill-will between classes.—Whoever makes, publishes or circulates any statement or report containing rumour or alarming news with intent to create or promote, or which is likely to create or promote, on grounds of religion, race, place of birth, residence, language, caste or community or any other ground whatsoever, feelings of enmity, hatred or ill-will between different religious, racial, language or regional groups or castes or communities, shall be punished with imprisonment which may extend to three years, or with fine, or with both.”

The statements made by Yati are a diatribe intended to disturb the communal harmony in the country and thus all these hate speech related sections under the IPC are attracted against him. It is imperative that a case is registered against him and an inquiry initiated against his continued and persistent dissemination of hate.

Moreover, these discriminatory statements and unverified claims amount to generating an atmosphere that can lead to mass violence and targeting of the Muslim community.

His speech amounts to hate speech that also violates the constitutional provision of **Article 15** of the Constitution of India that prohibits citizens from discriminating on the grounds of religion, race, caste, sex etc. His unverified and propagandist speeches are not only vicious but hurts the sentiments of the Muslim community and highlights the virulent Islamophobia in the country.

‘Journalism as genocide’ is a context that is being documented worldwide especially after Rwanda. The hatred perpetrated by the Media and in the instant case social media has destroyed and damaged the lives of ordinary people. Miscreants taking law onto their hands and forcing the general public not to buy fruits/vegetables from Muslim Street vendors; Resident Welfare

associations boycotting Muslims in their apartments and colonies; Stopping Muslims from entering specific areas; Preventing volunteers who are providing relief measures to the poor, because they are Muslims.

The community subjected to this form of vicious hatred has been transformed from being persons to objects. This dehumanization has resulted in calls for elimination of the community and the same is nothing short of a call for genocide. The call to genocide is a violation of the right to life and personal liberty of an entire community under Article 21 of the Constitution, and needs to be dealt with strictly. The calls for social and economic boycott being made are the precursors to genocide. Hate speech which repeatedly dehumanizes an entire community, makes them targets of vigilante violence.

Our campaign against hate speech and hate offenders such as Yati Narsinghanand continues and we endeavour to bring justice to the communities that fall victim to crimes due to the impact of such hateful speeches made by public figures like Yati Narsinghanand. An account some of his hateful speeches made in the past compiled by the CJP team may be viewed here:

<https://cjp.org.in/meet-hate-spewing-sadhu-yati-narsighnanad/>

We are hopeful that this esteemed Commission will do the needful to protect the interest of minorities in India so that targeted violence and incidents emerging due to incitement from hate speech do not destroy the social and secular fabric of our democratic country. That at this point, it is of utmost importance that a proper and thorough investigation is carried out by the Hon'ble Commission into not only one incident but the entire working mechanism adopted by Yati Narsinghanand who seems to be operating out of Dasna Temple to train his several disciples and indulge in extreme and excessive hate speech. (You-Tube in fact removed one of his videos too²)

We would also like to showcase the suo motu investigation leading to a report by your Hon'ble Commission in 2016 in the Jharkhand Lynching/Hanging case wherein the Commission members visited the districts of Hazaribagh and Latehar in Jharkhand from 10 May, 2016 to 12 May, 2016 with the objective of assessing the ground situation relating to communal clashes in Hazaribagh and hanging of two members of Muslim Community (including a 13 year old boy) in Latehar. The NCM had questioned the role of the state police in containing the simmering communal tension in the area. The two NCM members who led the fact-finding team, Farida Abdulla Khan and Praveen Davar, found that the police ignored several complaints from the Muslim community against regional cow vigilante groups prior to the incident.

We believe that, given the powers vested in the Hon'ble National Minorities Commission the present instances outlined in this communication is a fit case for a full-fledged investigation/inquiry by the esteemed authority.

That immediate action is needed in this instance to avoid something extreme like hate crimes that are manifest in ghettoization, social ostracism, gendered and other violence.

² <https://www.opindia.com/2021/03/youtube-removes-video-interview-of-yati-narsinghanand-where-he-spoke-about-the-dasna-temple-controversy/>



Prayers

We humbly urge this Hon'ble Commission to

1. Take cognisance of this hate speech made by Yati Narsinghanand under section 9(d) of the National Commission for Minorities, 1992
2. Look into all other CJP complaints annexed here against all other disciples under section 9(d) of the National Commission for Minorities, 1992
3. Direct the Uttar Pradesh Police to register an FIR against Yati Narsinghanand and other disciples under relevant sections of Indian Penal Code
4. Direct the attendance of hate mongers like Yati Narsinghanand before your Commission to examine such allegations under section 9(4)(a) of the Act
5. 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.
6. Undertake any other action as it may deem fit.

Yours sincerely,

Citizens for Justice and Peace

Nandan Maluste, CJP President

Teesta Setalvad, CJP Secretary

Annexures:

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| Annexure A | Letter written by NCW to the DGP, Uttar Pradesh Police |
| Annexure B | Hate speech videos downloaded by CJP on August 10, 2021 |
| Annexure C | Hate speech videos downloaded by CJP on August 10, 2021 |
| Annexure D | Hate speech videos downloaded by CJP on August 10, 2021 |
| Annexure E | Hate speech videos downloaded by CJP on August 10, 2021 |
| Annexure F | Hate speech videos downloaded by CJP on August 10, 2021 |
| Annexure G | CJP complaint to NCM dated July 22, 2021 |
| Annexure H | CJP complaint to NCM dated March 18, 2021 |
| Annexure I | Image downloaded by CJP on August 10, 2021 |