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Press Statement

Himanta Biswa Sarma must resign as Chief Minister of Assam for serial violations of his oath of office to govern without 'fear or favour, affection or ill-will'.

PUCL strongly condemns the recent statements made by the Chief Minister of Assam promoting divisive rhetoric against minorities which brazenly undermines the rule of law and violates his constitutional oath of office to protect all citizens without fear or favour. It is deeply alarming that a constitutionally elected Chief Minister is inciting hostility against Muslims and Christian minorities thereby violating the constitutional goal of upholding equality and secularism.

We are constrained to point out that Himanta Biswa Sarma has a notorious track record of making hateful statements about religious minorities, from Christians to Muslims as well as statements which reinforces the legitimacy of caste hierarchy and order. The rhetoric of the Chief Minister has often gratuitously and pejoratively invoked the term "jihad" in connection with various issues involving the Muslim community.

In August 2024, Sarma recklessly accused the University of Science and Technology, Meghalaya, a Muslim-run institution, of engaging in "flood jihad", blaming it for the outbreak of floods in Guwahati. He has also made the ridiculous claim that the university has a Mecca-like structure, and therefore it is a symbol of "jihad". Similarly, Sarma also made the unfounded allegation that Bengali Muslim farmers were practising "land and fertiliser jihad" by using high amounts of fertilisers on their crops.

As Assam prepares for its next state general election in 2026, Sarma has intensified his targeting of Bengali Muslims. Sarma said that between "four to five lakh Miya voters" would be removed from the electoral rolls during the Special Intensive Revision (SIR) process in the state. He also emphasised that "Himanta Biswa Sarma and the BJP are directly against Miyas" and urged people to "trouble" Miyas saying "only if they face troubles will they leave Assam".

He has made no bones of not only discriminating against Bengali speaking Assamese Muslims but has also illegally incited others to discriminate against them. On January, 28, 2025, he said that, 'Whoever can give trouble in any way should give, including you. In a rickshaw, if the fare is Rs 5, give them Rs 4. Only if they face troubles will they leave Assam... These are not issues. Himanta Biswas Sarma and the BJP are directly against

Miyas. What is the point of telling us that these are issues? We are saying it openly; we are not hiding it. Earlier, people were scared; now I myself am encouraging people to keep giving troubles”.

The Chief Minister has moved from speech which demeans, degrades and humiliates to speech which incites civil society to demean, degrade and humiliate Bengali speaking Muslims. With none of this hate speech facing any significant pushback, the Chief Minister has been emboldened to further extend the boundaries of his hateful and unconstitutional rhetoric.

On February 8, 2026, a video which has come to be referred to as the ‘Point-blank video’ purportedly showed Assam Chief Minister Himanta Biswa Sarma aiming a rifle and firing a shot at two individuals – one wearing a skullcap and the other sporting a beard that looked like a Muslim man. The wall the photo was hung on bore the words “No mercy” – with the caption “point-blank shot”. Though the outrage which greeted this video resulted in the video being removed from social media page of the BJP Assam unit, the damage had been done. For the video reinforced the CMs constant diatribe against Bengali Muslims as intruders who have stolen the jobs of Assamese thereby inflaming passions with the potential to result in major violence against Muslims and other minorities.

The only conclusion one can draw is that the incitement to murder was a bridge too far as far as what was acceptable from the Chief Minister and he was forced to take down the video. However, the fact that the video was deleted cannot be allowed to obscure the history of Sarma’s repeated violations of his constitutional oath as Chief Minister to ‘faithfully and conscientiously discharge’ his ‘duties as a Minister for the State’ and to ‘do right to all manner of people in accordance with the Constitution and the law without fear or favour, affection or ill-will.’

The Chief Minister has been sought to be made accountable for this unprecedented history of violations of the constitutional oath by noted social activist and former civil servant Harsh Mander. Harsh Mander, filed a police complaint against Sarma at Hauz Khas police station in New Delhi over the latter’s public statements made on January 27 on the grounds that the Chief Minister was “promoting hatred, harassment and discrimination against Bengali-speaking Muslims in Assam”. Mander sought the registration of an FIR under relevant provisions of the Bharatiya Nyaya Sanhita, 2023, including sections 196 (promoting enmity between groups and doing acts prejudicial to harmony), 197 (making assertions prejudicial to national integration), 299 (malicious acts intended to outrage religious feelings), 302 (uttering words intending to wound religious feelings) and 353 (statements conducing to public mischief).

The Chief Minister response exposes his belligerent, and ominous, response: “He has filed just one case against me. Just see, I will file at least 100 cases against him now as I have the necessary materials for it.” The Chief Minister accused Mander of “destroying” the National Register of Citizens (NRC) process in Assam. He had earlier raised this allegation against Mander, accusing him of visiting the state during the NRC process and working to “create false kin” to include names of “ineligible applicants” in the NRC.

The PUCL strongly condemns this brazen language of the Chief Minister in which the law is instrumentalised as a tool to harass and intimidate eminent human rights activists. We should point out that Harsh Mander represents the constitutional idea of India and has stood with the most marginalised and often invisible Indians. He has worked with

homeless people including street children. In *'PUCL v Union of India'*, (known as the food security PIL) the Supreme Court recognised his constitutional commitment by appointing him Special Commissioner of the Supreme Court for the right to food. In that position he has contributed significantly to ensuring the right to food to the most marginalised. He has stood with victims of hate crimes across India. He has also played a key role in documenting the violations of due process in Assam's Foreigners Tribunals as well as documenting the conditions of detention as part of an NHRC constituted team. Mander has raised concerns about the "lawless cruelty" and inhumane conditions within Assam's detention centers, where people have been held for years, resulting in significant mental anguish and suicide. For this work, he has been endlessly harassed by all agencies right from the ED to the CBI and Income Tax authorities. This harassment has not deterred him from his continuing fearless and dogged commitment to ensuring that the values of the Constitution are kept alive in contemporary India.

It is this work which is sought to be delegitimised and criminalised by the Chief Minister of Assam. The Assam Chief Minister instead of targeting Mander should address the concerns raised by him as to how the Foreigners Tribunals are a mockery of the legal process and are perpetrating inhumane suffering.

The PUCL strongly condemns the language of the Assam Chief Minister as a complete repudiation of his oath of office. The Chief Minister has used language which demeans and degrades Assam's Muslims, incites discrimination against them and goes so far as to incite the murder of Muslims. None of this language is sanctioned by the Constitution. The Chief Minister has violated his oath not to discriminate on grounds of religion and not to incite violence against members of a community. Far from promoting fraternity, which is the most basic constitutional obligation of a head of state, he has gone out of his way to promote divisiveness, hatred and violence in Assam.

The Chief Minister has thus been a serial violator of the most basic norms which govern a constitutional democracy as well as the constitutional responsibility of a head of state. His language has made it amply clear that he does not seek to govern on behalf of the Muslim communities of Assam. As such he has unequivocally and expressly repudiated his constitutional oath to govern without 'fear or favour, affection or ill-will.' In particular the Chief Minister has made it clear that he governs with an animus which targets the Muslim community. The Chief Minister has thus proved himself constitutionally incapable of abiding by the mandate of the Constitution that all persons are equal before the law.

The PUCL calls for the Chief Minister to resign as he has repeatedly violated his oath of office to govern without 'fear or favour, affection or ill-will.' The PUCL also calls on the Prime Minister to take action against the Chief Minister under Article 355 to ensure that Assam is governed in 'accordance with the provisions of the Constitution.'

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