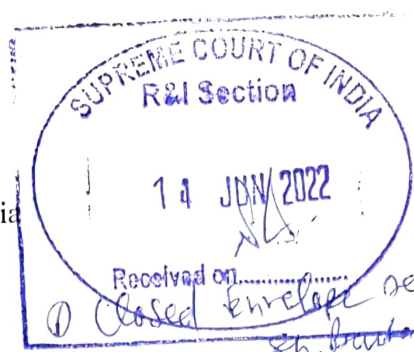


To
The Hon'ble Chief Justice of India
Supreme Court of India
Bhagwan Das Road
New Delhi

14th June 2022

Sub: Urgent appeal to the Hon'ble Supreme Court to take *suo motu* cognizance of the recent acts in Uttar Pradesh of illegal detention, bulldozing of residences and police violence on protestors and those in police custody following protests against certain objectionable remarks made by BJP spokespersons.

This letter petition is being presented as an urgent appeal to the Hon'ble Supreme Court of India to take *suo motu* cognizance of the recent incidents of violence and repression by state authorities on citizens in Uttar Pradesh. Recent remarks made by certain BJP spokespersons (since suspended from office) on the Prophet Mohammed have resulted in protests in multiple parts of the country, and particularly in UP. Instead of giving protestors an opportunity of being heard and engaging in peaceful protests, the UP state administration appears to have sanctioned taking violent action against such individuals. The Chief Minister has reportedly officially exhorted officials "to take such action against those guilty that it sets an example so that no one commits a crime or takes law into their hands in future."¹ He has further directed that the National Security Act, 1980, and the Uttar Pradesh Gangsters and Anti-Social Activities (Prevention) Act, 1986, be invoked against those found guilty of unlawful protests. It is these remarks that have emboldened the police to brutally and unlawfully torture protestors.

Pursuant to this, the UP police have arrested more than 300 persons and registered FIRs against protesting citizens. Videos of young men in police custody being beaten with *lathis*, houses of protestors being demolished without notice or any cause of action, and protestors from the minority Muslim community being chased and beaten by the police, are circulating on social media, shaking the conscience of the nation. Such a brutal clampdown by a ruling administration is an unacceptable subversion of the rule of law and a violation of the rights of citizens, and makes a mockery of the Constitution and fundamental rights guaranteed by the State. The coordinated manner in which the police and development authorities have acted lead to the clear conclusion that demolitions are a form of collective extra judicial punishment, attributable to a state policy which is illegal.

The mettle of the judiciary is tested in such critical times. On many occasions, including in the recent past, the judiciary has faced such challenges and emerged with distinction as the custodian of the rights of the people. Some recent examples are the *suo motu* actions taken by the Supreme Court in the migrant workers matter and in the Pegasus matter. In the same spirit, and in its role as custodian of the Constitution, we therefore urge the Hon'ble Supreme Court to take immediate

¹ <https://indianexpress.com/article/cities/lucknow/up-police-arrests-227-people-for-friday-violence-cm-adityanath-warns-7964643/>

suo motu action to arrest the deteriorating law and order situation in Uttar Pradesh, specifically involving the high-handedness of the police and state authorities, and the brutal clampdown on the fundamental rights of citizens. We hope and trust the Supreme Court will rise to the occasion and not let the citizens and the Constitution down at this critical juncture.

Signed by:

1. Justice B. Sudarshan Reddy, Former Judge, Supreme Court of India
2. Justice V. Gopala Gowda, Former Judge, Supreme Court of India
3. Justice A.K. Ganguly, Former Judge, Supreme Court of India
4. Justice A P Shah, Former Chief Justice, Delhi High Court and former Chairperson, Law Commission of India
5. Justice K Chandru, Former Judge, Madras High Court
6. Justice Mohammed Anwar, Former Judge, Karnataka High Court
7. Mr. Shanti Bhushan, Senior Advocate, Supreme Court
8. Ms. Indira Jaisingh, Senior Advocate, Supreme Court
9. Mr. Chander Uday Singh, Senior Advocate, Supreme Court
10. Mr. Sriram Panchu, Senior Advocate, Madras High Court
- ✓ 11. Mr. Prashant Bhushan, Advocate, Supreme Court
12. Mr. Anand Grover, Senior Advocate, Supreme Court