

Cover Letter to be presented to Hon'ble Bench

To,
The Hon'ble Justices of the Supreme Court of India,
New Delhi - 110001

Date: 24.03.2020

Subject: Forcible Removal and Destruction of Shaheen Bagh Protest Site on 24.03.2020 and Prayer for Citizen's Rights

Respected Hon'ble Judges,

We write to bring to your attention the forcible and vindictive removal of the protest site at Shaheen Bagh on the morning of 24.03.2020, and the subsequent detention of our peaceful, innocent protesters and volunteers.

It is respectfully submitted that on Saturday Night (21.03.2020) in deference to the Hon'ble Supreme Court, as also the emerging situation with respect to Covid-19, all protesters had decided to vacate the protest site, except for two to three women who would be present there to symbolise the protest, but maintain the mandated precautions. (Picture Annexed). The mics had been disbanded and there were no speeches being made. The library established by volunteers during the protests had been closed. The school and art club set up by volunteers for the children of Shaheen Bagh had also been closed.

We had prepared our statement conveying a status update, together with our prayers that we had hoped to submit before the Hon'ble Court, through the interlocutors. The protestors who had now retreated to their homes were in the process of collecting signatures on the same.

Thus on 22.03.2020, the curfew was respected in spirit. On that morning, the protestors again reiterated their commitment to adhering to the restrictions enforced in the interest of public health and safety, while symbolically maintaining their right to dissent. The Shaheen Bagh gathering has been committed to adhering to the restrictions enforced in the interest of public health and safety, while maintaining its right to dissent. As such, we have endeavoured to be in compliance of the State directives issued, especially those pertaining to the call for a "Janta ka Curfew" on 22.03.2020. By Sunday, 22.03.2020, the Shaheen Bagh gathering had been thoroughly sanitised and cleared of anything and anyone more than the symbolic protest of 3-5 women protesters seated at sufficient distance from each other. In spite of a strict curfew called by our PM, there was a vicious petrol bomb attack on our physical site on 22.03.2020 by unidentified miscreants; however, in spite of these threats, the small, sanitised protester group sat bravely through the day. (Ref: Point 2 of preliminary submissions) The day passed without any further incident.

Subsequently, on the evening of 22.03.2020, the public curfew was extended and Delhi was placed under complete lockdown as of 6AM starting 23.03.2020. On 23.03.2020 too, the protest continued only symbolically with less than five women. Thereafter, however, on the intervening night of 23-24 March, 2020, the Police arrived at Shaheen Bagh protest site and indicated their intent to remove the protest. Understandably, this caused a panic and frenzy among some of the locals and the erstwhile protesters, who rushed and collected at the protest site. Eventually, within just a few hours, this situation was resolved and the protest site was re-sanitised and brought within minimal, symbolic numbers of human presence.

Then, in the early hours of the morning of 24.03.2020, huge formations of Police forces arrived at Shaheen Bagh and forcibly evicted and detained the few remaining women protesters and some male volunteers. They also brought cranes and destroyed the main stage and main tent area. Rendering the protesters and their well wishers even more helpless and fearful, the Police ruthlessly destroyed and dismantled our art exhibits on the other side of the road, some of which had come to be very important symbols of hope and resilience for our 100-day resistance.

While we understand the need for stricter imposition of curfew and enforcement of pertinent restrictions, the ruthless dismantling and thoughtless destruction of the markers of our physical protest, especially the very structures whose placement is in question in a matter that is sub judice in the SC, reeks of strong vendetta and ill feelings towards our innocent protesters, locals and sympathisers.

It further heightens distrust and the perception of being uncared for by the state institutions.

Further the disproportionate action in the time of Corona was unnecessary. The huge Police force and civilian who accumulated to dismantle the tent and remove the remaining protestors added to the crowd.

We would like to reiterate here, on record, that 23.03.2020 was designated as the next date of hearing regarding the road closure around Shaheen Bagh and a fair discussion around reaching some mutually convenient solution was to be expected. It is extremely disheartening and faith-rattling to see the unrestrained, almost vindictive force that has been used against our site and the legacy we struggled to create, in spite of these very matters being under the review and scrutiny of the Hon'ble Supreme Court. In fact, the Police also brought along young civilian men in large numbers to our site (some on tractors) to assist with this forced dismantling.

This is deeply unsettling and we demand a fair probe into the involvement of all the unidentified, non-designated and non-Police personnel present with the Police forces at Shaheen Bagh between the hours of 6-10AM on 24.03.2020.

We would also like to ask the Court whether it will grant us any protection during the proceeding of this case, seeing as how the Delhi Police has no regard for this matter being sub judice in the top court of our nation?

We continue to repose our faith in the wisdom and fairness of our judicial system, and pray that you may kindly grant us necessary relief. We also take this opportunity to present our Charter of Citizen's Rights and Prayers before this Hon'ble bench. We look forward to our day in court.

We humbly pray that the Court may excuse the delay in presenting this charter. We hope the Justices will sympathise with the logistical and emotional challenges overcome in receiving all signatures from the concerned women protesters, who sit in different cycles through the day and night.

Kind regards,

The People of Shaheen Bagh

Charter of Citizens' Rights and our Prayers before the Hon'ble Supreme Court

Dated: 21st March 2020

We would like to begin by saying that we are grateful to the Hon'ble Supreme Court for having recognised our satyagraha as being genuine and legitimate, despite the constant attacks on our motives. It was for the first time that any institution had taken cognizance of our long sit-in and appointed interlocutors to understand our problems.

हम माननिये उच्चतम न्यायालय के प्रति हृदय से कृतज्ञ हैं की माननिये न्यायालय ने हमारे सत्याग्रह को सच्चा समझा और हमारे धरने पर बैठने के इरादे को कम व गलत नहीं आंका, जबकि हमारे इरादों पर कई बार तरह तरह से सामाजिक ताकतों ने हमला किया। ऐसा पहली बार हुआ है की माननीय उच्चतम न्यायालय जैसे इंस्टिट्यूशन ने मामले का जायजा लिया और आदरणीय वार्ताकारों को हमारी बात समझने के लिए अप्पोइन्ट किया। हम माननिये उच्चतम न्यायालय के प्रति आभारी हैं।

We are indebted and it is an expression of our gratitude that we have decided to respond to the Hon'ble Supreme Court, the Government of Delhi and the threat that Covid-19 poses to us as a nation. We are rightful citizens of this nation and therefore, as we struggle for our rights, we also accept responsibilities of the kind that this challenge presents.

हम कृतग्ये हैं और अपना आभार व्यक्त करने के लिए माननिये उच्चतम न्यायालय, माननिये दिल्ली सरकार को कोरोना वायरस जैसे स्वास्थ्य संकट पर अपनी प्रतिक्रिया जताना चाहते हैं।

We wish to bring to the notice of the Supreme Court, through the interlocutors, that in deference to the above, all protesters have got up from the protest site except for two to three women who are present there as a symbol of our protest. The mics have been disbanded and there are no speeches being made. The library established by volunteers during the protests has been closed. The school and art club set up by volunteers for the children of Shaheen Bagh has also been closed.

हम माननीय सुप्रीम कोर्ट के संज्ञान में यह बात लाना चाहते हैं की इन सब बातों का ध्यान रखते हुए, सभी प्रदर्शनकारी, दो तीन औरतों के अलावा जो वहाँ हमारे प्रदर्शन के प्रतीक के रूप में बैठी हैं, प्रदर्शन स्थल से उठ गए हैं। माइक निकाल दिए गए हैं, और कोई भाषण नहीं दिए जा रहे हैं। प्रदर्शन के दौरान वोलनटियरों द्वारा स्थापित की गए पुस्तकालय को बंद कर दिया गया है। वोलनटियरों द्वारा शाहीन बाग के बच्चों के लिए लगाए गए स्कूल और कला संघ (आर्ट क्लब) भी बंद कर दिए गए हैं।

We also wish to apprise the Hon'ble Court through the respected interlocutors of the challenges that exist in our lived realities and pray for a fulfilment of our stand and requests:

हम माननीय उच्चतम न्यायालय के संज्ञान में आदरणीय वार्ताकारों के जरिये हमारी रोजमर्रा की जीवंत हकीकतों में आने वाली चुनौतियों से अवगत कराने के लिए और हमारी माँगों की पूर्ति की विनती के साथ गुज़ारिश करते हैं की:

1. On the cold, dark night of December 15, 2019, the women of Shaheen Bagh came on to the streets, halting their day-to-day lives in order to register their protest against the grave brutalities inflicted upon innocent students of Jamia Millia Islamia by the Delhi Police. Soon, this organic and spontaneous protest grew in strength and purpose to include and embody the larger intent of the Anti-CAA-NPR-NRC movement that later swept across India.

15 दिसंबर, 2019 की ठंडी, अंधेरी रात में, दिल्ली पुलिस द्वारा जामिया मिलिया इस्लामिया के निर्दोष छात्रों पर भड़काई गई क्रूरता के खिलाफ अपना विरोध दर्ज कराने के लिए शाहीन बाग की महिलाएं सड़कों पर उतर आईं पर जल्द ही, यह जैविक और सहज विरोध शक्ति एंटी "सीएए-एनपीआर-एनआरसी" आंदोलन के बड़े रूप में स्वतः ही अवतरित हो गया जो बाद में पूरे भारत में खुद ब खुद स्वतः ही बढ़ता गया गया।

2. In nearly 100 days of this resistance, the resolve and courage of the women of Shaheen Bagh has been tested time and again by multi pronged threats and attacks from several quarters, including a vicious petrol bomb attack on our site right up till the morning of March 22, 2020 (coincidentally also the day of the 'Janta Curfew' called by the PM). However, in spite of this continued spate of violence, slander, and dehumanisation, we stood undeterred, paving the way for multiple 'Shaheen Baghs' across the nation.

इस प्रतिरोध के लगभग 100 दिनों में, शाहीन बाग की महिलाओं के संकल्प और साहस का समय-समय पर परीक्षण किया गया है और कई अराजक तत्वों के द्वारा मौखिक और आकर के कई बार हमले हुए हैं, जिसमें गोली चलना, आंदोलन की जगह पे आ कर गलियां देने से लेकर सुबह-सुबह 22 मार्च, 2020 (संयोग से 'पीएम द्वारा बुलाए गए' जनता कर्फ्यू 'का दिन) के वक्त एक शातिर पेट्रोल बम हमला भी शामिल है। हिंसा, बदनामी, और अमानवीयता का दौर जारी रहा, हालांकि इसके बावजूद हम देश भर में कई सारे शाहीन बागों का मार्ग प्रशस्त करते हुए, निर्विवाद रूप से खड़े रहे।

3. We have also stood in solidarity with the victims of communal violence in North-East Delhi. It is unfortunate that a hate campaign targeted towards us was exploited by vested interests in instigating the violence against the poorest and most-marginalised amongst us. We continue to use our platform to raise concerns for those that have borne the brunt of a brutal assault resulting from a vicious vilification campaign.

हम उत्तरपूर्वी दिल्ली में हुई साम्प्रदायिक हिंसा के पीड़ितों के साथ भी खड़े थे। यह दुर्भाग्यपूर्ण है कि हमारी तरफ साधे गए हेट कैम्पेन का दुरुपयोग हममें से सबसे गरीब और पिछड़े तबके के खिलाफ हिंसा भड़काने के लिए किया गया। हम अपने मंच का उपयोग उन लोगों, जिन्होंने अपने खिलाफ एक अनैतिक बदनाम करने वाले कैम्पेन के कारणवश हुए कठोर हमले की मार को झेल है, के मुद्दे उठाने के लिए करते रहेंगे।

4. Today, however, a grave threat of Covid-19 looms over all of humanity, as we know it. As an ever growing Covid-19 pandemic grips our country, the protestors are already complying with all the medical and health directives issued by the medical professionals and the government to prevent the spread of the COVID - 19 virus. It has also been decided that the protesters will comply with the health and medical directions of the government; and would do everything possible to get over the threat of the dangerous virus. We will fully cooperate with the agencies to tackle the pandemic. We understand the sense of fear and grief our fellow citizens may be coping with at present and we resolve to do everything to not exacerbate the spread of the epidemic.

परंतु आज, जैसा कि हम जानते हैं, इंसानियत पर एक बड़ा खतरा मंडरा रहा है। अब जबकि देश एकनित बढ़ती COVID-19 महामारी की जकड़ में है, यह निर्णय लिया गया है कि प्रदर्शनकारी केंद्र तथा राज्य सरकार के स्वास्थ्य निर्देशकों का पालन करेंगे। हमें उस भय और पीड़ा का पूरा अंदाजा है जिससे हमारे साथी नागरिक इस समय गुजर रहे हैं और हम इस महामारी को बढ़ने से रोकने के लिए हर सम्भव प्रयास करने का वादा करते हैं।

5. **Our struggle has been for an inclusive and participatory form of citizenship based on values of mutual empathy, care and dignity. Now that we are called upon to show our commitment to these values, we shall rise to the occasion.**

हमारा संघर्ष एक समावेशी और भागीदारी वाली, परस्पर सहानुभूति, सेवा और प्रतिष्ठा के सिद्धांतों पर आधारित नागरिकता के लिए रहा है। अब जबकि हमारे लिए इन मूल्यों के प्रति अपनी वचनबद्धता दिखाने का समय आया है तो हम खुद को इस योग्य साबित करेंगे।

6. We stand in solidarity with our fellow citizens who cherish the same values. We also express all solidarity with public health workers: healthcare professionals, sanitation staff, unorganised labour, and other frontline responders.

हम अपने साथी नागरिकों, जो इन्हीं सिद्धांतों में मानते हैं, के साथ एकजुट हो कर खड़े हैं। हम जन स्वास्थ्य कार्यकर्ताओं-स्वास्थ्य सेवा पेशेवर, स्वच्छता कर्मचारी, असंगठित मजदूर वर्ग और अन्य फ्रण्टलाइन उत्तरदाताओं, के साथ भी अपनी पूरी एकजुटता प्रकट करते हैं।

We also wish to apprise the Hon'ble Court through the respected interlocutors of the other challenges that exist in our lived realities and pray for a fulfilment of our requests:

(This statement and its pursuant charter of prayers and demands in no way agrees to any of the statements, allegations, submissions, or arguments made by the Petitioner(s) and filed in the SC).

We maintain that the arguments presented by opposing forces are incorrect and hence denied.

- First and foremost, we seek protection from the Hon'ble Court. We pray that this Hon'ble Court directs the concerned authorities to ensure our protection. We feel that our homes and livelihoods may be vulnerable to attacks and we pray for adequate patrols and additional posts. The vulnerable protest site requires to be physically cordoned off and secured by the police personnels.

हमारी माननीय उच्चतम न्यायालय से यह प्रार्थना है की प्रदर्शन स्थल के आसपास बंद की गई रोड के मसले पर हमें सुप्रीम कोर्ट की निगरानी में सुरक्षा प्रदान की जाए, सुरक्षा को मद्देनजर रखते हुए हम अतिरिक्त पुलिस पहरेदारी एवं पुलिस चेक पोस्ट की भी प्रार्थना करते हैं. यह सब माननीय उच्चतम न्यायालय की निगरानी में हो, इसकी प्रार्थना करते हैं.

- We pray that cases/ personal bonds imposed upon peaceful protestors in Shaheen Bagh or similar peaceful protest sites across India be withdrawn and no future cases be imposed on them.

हम यह प्रार्थना करते हैं की शाहीन बाग में शान्तिपूर्वक धर्ने पर बैठे लोगो पर और पूरे भारत में जितने भी शाहीन बाग बने हैं पे धरने पर बैठे लोगो पर लगाये गये सभी तरह के केस व मुचलका वापस लिए जाए और आगे भी धर्ने पर बैठे लोगो पर किसी भी प्रकार की कन्नी कार्यवहिन न हो.

- We pray that all cases filed against students of Jamia Millia Islamia in the wake of the anti-CAA protests be revoked. We also pray for a court-monitored inquiry into the incident, where our children were directly affected and which was the immediate trigger for the protest.

हम यह प्रार्थना करते हैं की CAA/NRC/NPR के विरोध में उतरे जामिया यूनि. के विद्यार्थियों के खिलाफ जो भी केस दर्ज किये गए हैं उन्हें वापस ले लिया जाए. हम प्रार्थना करते हैं की 14 दिसम्बर को हुए जामिया यूनि के छात्रों पर हमलो की जाँच माननीय उच्चतम न्यायालय की निगरानी में हो.

- We pray that this Hon'ble Court takes cognisance of the hate speeches and other incendiary material on social and electronic media directed at protestors. A popular sentiment has been created, where dissent is considered an anti national act. We resent this attack on our fundamental right to voice our disagreement in a peaceful manner.

हम विनती करते हैं कि माननीय उच्चतम न्यायालय सोशल और इलेक्ट्रॉनिक मीडिया पर प्रदर्शनकारियों के विरुद्ध इस्तेमाल होने वाली हेट स्पीच (घृणा वाक) और उत्तेजक तथ्यों का संज्ञान ले। एक ऐसा लोकप्रिय मनोभाव बनाया जा रहा है, जहाँ असहमति जताना एक राष्ट्रविरोधी कृत्य समझा जाता है। हम हमारे शांतिपूर्वक असहमति व्यक्त करने के मौलिक अधिकार पर हमले पर रोष व्यक्त करते हैं।

- We pray for an enquiry into the relentless attack on protestors on social media, which also contributed to the conflagration in North East Delhi.

हम प्रदर्शनकारियों पर सोशल मीडिया पर हो रहे लगातार हमलों, जिन्होंने उत्तर पूर्वी दिल्ली के अग्निकांड में भी योगदान दिया, की जाँच करने का अनुरोध करते हैं।

- We believe most of our protesters would be agreeable to identifying and transitioning to a safe, protected site within Shaheen Bagh that includes sufficient space for the monuments, if such a site was given to us by this Hon'ble Court, after having considered our other prayers.

हमारा मानना ये है के ज्यादातर प्रदर्शनकारी एक वैकल्पिक स्थान पर जाने को राजी हैं यदि एक ऐसा स्थान माननीय उच्चतम न्यायालय हमें प्रदान करता है। हमारा अनुरोध है के ये वैकल्पिक स्थान प्रदर्शन में बने स्मारकों के लिए भी पर्याप्त हो और शाहीन बाग में हो

- Even as Shaheen Bagh has become prominent as a site of protest, we are despaired to see that life in a ghetto, in poorer colonies or slums, is still not understood (even though it is the lived experience of the majority of this country). How 'social distancing' is a position of privilege is still not part of any mainstream discourse. We request the government to launch programs aimed at communities where social distancing isn't a practical measure. We eagerly await solutions aimed at broadening the scope of testing, providing better access to safety equipment and awareness initiatives. The PM must assure us that we will be treated with complete fairness and equality, and establish his commitment towards protecting Indian Muslims in the wake of a pandemic that will likely affect the marginalised the most. We urge the Delhi government to make better arrangements for all those who are most vulnerable in the face of these dark times.

Lakhs of people and children have no access to basic civic amenities like water supply, sanitation services, open parks & playgrounds. We request the court to direct the government to take determined initiative for improving the living standards of people and children living in Okhla.

हम जानते हैं के आज देश और विदेश में शाहीन बाग के नाम ने अपनी जगह बनायी है पर यहाँ पे जीवन व्यतीत कर रहे लोगो की

रोज़ मर्रा की जिन्दगी में कोई फ़र्क नहीं आया है। एक बहुत बड़ा आबादी का हिस्सा एक बहुत छोटी सी जगह में रहता है। महामारी फैलने के अंदेश में भी यहाँ के लोगों के पास अपने आपको बचाने का कोई उपाय नहीं है। सरकार द्वारा जारी किये गए निर्देश हमारे जैसे इलाकों के लिए उपयोगी नहीं हैं। हमारा सरकार से निवेदन है की जांच, उपकरणों की उपलब्धि और जानकारी फैलाने के प्रकरण वो और बेहतर तरीके से करें। प्रधान सेवक जी से निवेदन है के वो देश के मुसलमानों को इस मुश्किल घड़ी में आशवासन दें के वो हमारे साथ, हमारे हित की बात करने के लिए तत्पर खड़े हैं, महामारी का प्रकोप सबसे ज्यादा गरीब और पिछड़े तबकों पे होगा जिनका एक बहुत बड़ा हिस्सा मुसलमानों का भी है। दिल्ली सरकार से हमारा निवेदन है के सबसे कमज़ोर और पिछड़े वर्ग के लोगों के लिए बेहतर इतिज़ाम करें

लाखों लोग बच्चों समेत बिना बुनियादी नागरिक सुविधाओं के आभाव के साथ जीवन व्यतीत कर रहे हैं, यहाँ पीने का साफ़ पानी, स्वच्छता, खुले मैदान या पार्क भी नहीं हैं। उच्च न्यायालय से हमारा अनुरोध है के सरकार को दिशा निर्देश जारी करें ओखला के लोगों के जीवन स्तर में सुधार आये

The Shaheen Bagh gathering has been committed to adhering to the restrictions enforced in the interest of public health and safety, while maintaining its right to dissent. As such, we have endeavoured to be in compliance of the State directives issued, especially those pertaining to the call for a "Janta ka Curfew" on 22.03.2020. By Sunday, 22.03.2020, the Shaheen Bagh gathering had been thoroughly sanitised and cleared of anything and anyone more than the symbolic protest of 3-5 women protesters seated at sufficient distance from each other. In spite of a strict curfew called by our PM, there was a vicious petrol bomb attack on our physical site on 22.03.2020 by unidentified miscreants; however, in spite of these threats, the small, sanitised protester group sat bravely through the day. (Ref: Point 2 of preliminary submissions) The day passed without any further incident.

Subsequently, on the evening of 22.03.2020, the public curfew was extended and Delhi was placed under complete lockdown as of 6AM starting 23.03.2020. On 23.03.2020 too, the protest continued only symbolically with less than five women. Thereafter, however, on the intervening night of 23-24 March, 2020, the Police forces arrived at Shaheen Bagh protest site in large numbers and indicated their intent to remove the protest. Understandably, this caused a panic and frenzy among some of the locals and the erstwhile protesters, who rushed and collected at the protest site. Eventually, within just a few hours, this situation was resolved and the protest site was re-sanitised and brought within minimal, symbolic numbers of human presence.

Then, in the early hours of the morning of 24.03.2020, huge formations of Police forces arrived at Shaheen Bagh and forcibly evicted and detained the few remaining women protesters and some male volunteers. They also brought cranes and destroyed the main stage and main tent area. Rendering the protesters and their well wishers even more helpless and fearful, the Police ruthlessly destroyed and dismantled our art exhibits on the other side of the road, some of which had come to be very important symbols of hope and resilience for our 100-day resistance.

While we understand the need for stricter imposition of curfew and enforcement of pertinent restrictions, the ruthless dismantling and thoughtless destruction of the markers of our physical protest, especially the very structures whose placement is in question in a matter that is sub judice in the SC, reeks of strong vendetta and ill feelings towards our innocent protesters, locals and sympathisers.

We would like to reiterate here, on record, that 23.03.2020 was designated as the next date of hearing regarding the road closure around Shaheen Bagh and a fair discussion around reaching some mutually convenient solution was to be expected. It is extremely disheartening and faith-rattling to see the unrestrained, almost vindictive force that has been used against our site and the legacy we struggled to create, in spite of these very matters being under the review and scrutiny of the Hon'ble Supreme Court. In fact, the Police also brought along young civilian men in large numbers to our site (some on tractors) to assist with this forced dismantling. This is deeply unsettling and we demand a fair probe into the involvement of all the unidentified, non-designated and non-Police personnel present with the Police forces at Shaheen Bagh between the hours of 6-10AM on 24.03.2020.

We would also like to ask the Court whether it will grant us any protection during the proceeding of this case, seeing as how the Delhi Police has no regard for this matter being sub judice in the top court of our nation?

We have come a long distance in our fight against injustice; We do realise that our efforts have birthed practical, tangible sources of dissent in the system itself. When we began only four states had passed a resolution against CAA - NRC - NPR, today the number is 12. We look forward to guidance from the hon'ble Supreme Court.

हमने अपनी इस अन्याय के खिलाफ लड़ाई में लंबी दूरी तय की है, हमें यह अहसास है कि हमारे प्रयासों ने इस सिस्टम में असहमति के व्यावहारिक और वास्तविक स्रोतों को जन्म दिया है। जब हमने शुरुआत की थी तब 4 राज्यों ने CAA-NRC-NPR के विरुद्ध प्रस्ताव पारित किए थे, अब 12 राज्य हमारे साथ जुड़ गए हैं।

