

IN THE SUPREME COURT OF INDIA
CIVIL ORIGINAL JURISDICTION
UNDER ARTICLE 32 OF CONSTITUTION OF INDIA, 1950
PUBLIC INTEREST LITIGATION

CIVIL WRIT PETITION No..... of 2020

IN THE MATTER OF:

C.R. JAYA SUKIN

..... Petitioner

VERSUS

UNION OF INDIA & ORS

.....Respondents

**PAPPER BOOK
(PLEASE SEE INSIDE)**

**with
I.A.NO.....2020**

APPLICATION FOR PERMISSION TO APPEAR AND ARGUE IN PERSON

PETITIONER IN PERSON : C.R. JAYA SUKIN

SYNOPSIS

That Petitioner an Indian citizen, professionally Advocate, Practicing last 10 years in Hon'ble Supreme Court of India has filed this Writ Petition under Article 32 of Indian Constitution for issue a writ of mandamus or any other appropriate Writ or Order or Direction or any suggestion or observation or particularly the nature of Writ, by giving direction to imposition of Article 356 of the Constitution of India in Uttar Pradesh State immediately.

That the Petitioner state that, unlawful and arbitrary killings, including extrajudicial killings perpetrated by police, torture by prison officials, arbitrary arrest and detention by government authorities, political prisoners in the state, restrictions on freedom of expression and the press, including violence, threats of violence, or unjustified arrests or prosecutions against journalists, use of criminal libel laws to prosecute social media speech, censorship, and site blocking, overly restrictive rules on nongovernmental organizations (NGOs), frequent reports of widespread corruption at all levels of government, violence and discrimination targeting minorities based on religious affiliation or social status, rising crimes against Dalits and forced and compulsory child

labor, including bonded labor, jobless, poverty, unsafe state for women, police attack on national leaders these are satisfied and confirmed that a situation has arisen in which the government of the Uttar Pradesh State cannot be carried on in accordance with the provisions of the Constitution.

That the 19-year-old Dalit woman was allegedly raped by four upper-caste men in Hathras on September 14 and later died at Delhi's Safdarjung hospital on Tuesday. She had severe injuries on her spinal cord and neck, leaving her paralysed in all four limbs, and her tongue was cut off by the assaulters. Her parents had alleged that the local police forcibly performed the last rites of the victim little after 3 am on Wednesday, even though they wanted to bring her body home one last time. No outsiders, including politicians and reporters, are being allowed to speak to the family and a tight security cordon has been laid around the village peripheries .

That imposition of Article 356 of the Constitution of India in Uttar Pradesh State has necessary to save the Indian democracy and live of 20 crores people.

LIST OF DATE AND EVENT

2019 According to the National Crime Record Bureau's "Crime in India" 2019 report, Uttar Pradesh recorded the highest number of crimes against women. India reported 4,05,861 cases in 2019 and out of these, Uttar Pradesh had 59,853 such incidents.

1. 3. 2020: Two sisters, aged 9 and 10, were raped repeatedly for several days by two men from their village in Mau district. The matter came to light when the girls told their elder sister about it.

6. 2, 2020 : A 6-year-old girl was kidnapped and raped in Garhmukteshwar Kotwali, Hapur district. The accused was arrested after he was shot in the leg after he grabbed a cop's gun and tried to flee.

15. 3, 2020 : A 13-year-old Dalit girl was raped and killed in Lakhimpur Kheri. Two men from her village were arrested.
15. 4, 2020 : The police said that a teenager was raped, her body singed with cigarette butts in Gorakhpur.
22. 5, 2020 : A 15-year-old girl Mirzapur district was allegedly drugged and forced into prostitution in Ramnagar area of Varanasi, according to *Hindustan Times*. Police said that the woman informed she had been held hostage by the owner of a beauty parlour where she worked and she was raped by around a dozen people.
25. 6, 2020 : The body of a 17-year-old girl was found in Lakhimpur Kheri. The police said that she was raped before being killed with a sharp weapon, according to *Scroll*.
25. 7, 2020 : A 12-year-old girl was allegedly raped in Uttar Pradesh's Greater Noida. Police said the accused tried to run away and opened fire on the police team in his bid to escape, but he was overpowered and caught.

14. 8, 2020 :

A 19-year-old Dalit woman was allegedly raped near Hathras. In her statement to the police, the woman had said that the four men raped her on 14 September, but a senior police officer told *NDTV* that rape had not been confirmed and they were waiting for a forensic report. The 19-year-old woman died in New Delhi's Safdarjung Hospital on 1.10.2020. the UP police forcibly cremated the victim's body after locking her family in their home.

5.10.2020

Hence this Writ petition

IN THE SUPREME COURT OF INDIA
CIVIL ORIGINAL JURISDICTION
UNDER ARTICLE 32 OF CONSTITUTION OF INDIA, 1950
PUBLIC INTEREST LITIGATION

WRIT PETITION(C) NO. OF 2020

IN THE MATTER OF

C.R. Jaya Sukin.
Advocate,

Petitioner

Versus

1. The Office of Prime Minister.
Through its Principle Secretary,
Union Secretariat,
New Delhi – 01.

2. The Union of India,
Rep. by its Secretary,
Ministry of Home Affairs,
North Block, New Delhi

3. The Union of India,
Rep. by its Secretary,
Ministry of Law and Justice,
Union Secretariat,
New Delhi .

..... Respondents

**WRIT PETITION UNDER ARTICLE 32 OF THE
CONSTITUTION OF INDIA IN THE NATURE OF A PUBLIC
INTEREST LITIGATION SEEKING AN APPROPRIATE WRIT
IN THE NATURE OF MANDAMUS**

TO

THE HON'BLE CHIEF JUSTICE AND
THE OTHER COMPANION JUDGES OF
THE HONBLE SUPREME COURT OF INDIA

HUMBLE PETITION OF THE
PETITIONER ABOVE NAMED

MOST RESPECTFULLY SHOWETH:-

1. That Petitioners filed this Writ Petition for issue a writ of mandamus or any other appropriate Writ or Order or Direction or any suggestion or observation or particularly the nature of Writ, by giving direction to

imposition of Article 356 of the Constitution of India in Uttar Pradesh State immediately.

2. That the Petitioner state that, unlawful and arbitrary killings, including extrajudicial killings perpetrated by police, torture by prison officials, arbitrary arrest and detention by government authorities, political prisoners in the state, restrictions on freedom of expression and the press, including violence, threats of violence, or unjustified arrests or prosecutions against journalists, use of criminal libel laws to prosecute social media speech, censorship, and site blocking, overly restrictive rules on nongovernmental organizations (NGOs), frequent reports of widespread corruption at all levels of government, violence and discrimination targeting minorities based on religious affiliation or social status, rising crimes against Dalits and forced and compulsory child labor, including bonded labor, jobless, poverty, unsafe state for women, police attack on national leaders these are satisfied and confirmed that a situation has arisen in which the government of the Uttar Pradesh State cannot be carried on in accordance with the provisions of the Constitution.

3. That the Petitioner state that, Uttar Pradesh state has ranks as the most unsafe state for women in the country. The attack of the 19-year-old is the latest gruesome case of sexual violence against women to rile India, where reports of rape are hauntingly familiar. The victim, who belonged to the Dalit community, was raped by four men on Sept. 14 in the heartland state of Uttar Pradesh's Hathras district. The woman's family told local media that they found her naked, bleeding and paralyzed with a split tongue and a broken spine in a field outside their home. She

died two weeks later, on Tuesday, after battling serious injuries in a hospital in New Delhi.

That family members are begging Uttar Pradesh police that let us at least take the girl home one last time. Village people came in front of the ambulance, saying “we will not let you burn our girl forcibly” At 2.30 am, the UP police forcibly cremated the victim’s body after locking her family in their home, The police had formed a human chain around the cremation to prevent anyone from approaching the ground. The Uttar Pradesh police not gave any explain why they took the “inhumane decision”. “They illegally cremated her despite her family wanting to do the last rites.

4. That the Petitioner state that, According to the annual report of the National Crime Records Bureau (NCRB), released on January 2020 , a case of rape is registered with the Uttar Pradesh police every two hours while crime against a child is reported every 90 minutes in the state. That report claims that 4,322 cases of rape were reported in 2018, with almost 12 taking place daily and state also recorded 59,445 crimes against women with 162 being reported every day, which indicates a surge of 7 per cent in 2017, when 56,011 crimes - 153 crimes per day - were registered. That nearly 131 elderly people were murdered in 2018, compared to 129 killed in 2017. Cases of robbery reported by senior citizens also registered a slight increase with 15 incidents in 2018 and 14 in 2017.

5. That the Petitioner state that, According to the NCRB report, Lucknow topped in 19 cities in crime against women with 2,736 being reported in

2018 and case of children, 144 girls were reportedly raped in 2018 against 139 in 2017. Similarly, 19,936 crimes were reported against children with 55 reported per day in the state. In 2017, 19,145 such cases were reported with an average of 52 being reported per day. Uttar Pradesh also recorded the highest number of 2,444 dowry deaths in 2018, but witnessed a decrease of 3 per cent in comparison to 2017 when 2,524 cases were reported. Crimes against senior citizens also recorded an increase, according to the NCRB report. As many as 454 offences were reported in 2018, which is more than 12 per cent in 2017. That the Petitioner state that, Nearly 131 elderly people were murdered in 2018, compared to 129 killed in 2017. Cases of robbery reported by senior citizens also registered a slight increase with 15 incidents in 2018 and 14 in 2017.

6. That the Petitioner state that, There were reports that the government or its agents committed arbitrary or unlawful killings, including extrajudicial killings of suspected criminals and insurgents. On February 6, minister of state for home affairs Hansraj Gangaram Ahir presented in the upper house of parliament data from the National Human Rights Commission (NHRC), noting that 22 alleged “fake encounters” with police occurred between January 2018 and January 20, 2019. Ahir stated that 17 of these alleged encounters occurred in the state of Uttar Pradesh. That the Petitioner state that, On January 19, four UN human rights experts expressed concern about allegations of at least 59 extrajudicial killings by police in Uttar Pradesh since 2017. The experts sent “detailed information” to the government on 15 of the cases, most deaths involving individuals from Muslim communities.

7. That the Petitioner state that, Victims of crime were sometimes subjected to intimidation, threats, and attacks, including by government officials. On July 28, a rape survivor from Uttar Pradesh's Unnao District was critically injured in a head-on road collision. The survivor had accused state BJP lawmaker Kuldeep Sengar of rape in 2017; the BJP later expelled Sengar from the party. The girl's family alleged Sengar planned the crash to kill her. On August 1, the Supreme Court directed the state government to pay compensation to the victim and transferred all litigation related to the victim to Delhi. Sengar's brother allegedly tortured the victim's father after she came forward with the allegation, and the victim's father died in police custody a day later. The victim attempted self-immolation outside the Uttar Pradesh chief minister's home to protest significant delays in arresting accused.

8. That the Petitioner state that, According to the NCRB's Prison Statistics India report, In Uttar Pradesh, there were Persons awaiting trial accounted for more than two-thirds of the prison population. The law requires detention of juveniles in rehabilitative facilities, although at times authorities detained them in adult prisons, especially in rural areas. Authorities often held pretrial detainees along with convicted prisoners. In Uttar Pradesh, occupancy at most prisons was two-, and sometimes three-, times the permitted capacity, according to an adviser appointed by the Supreme Court.

9. That the Petitioner state that, The Public Safety Act (PSA), which applies only in Jammu and Kashmir, permits authorities to detain persons without charge or judicial review for up to two years without visitation from family members. Authorities in Jammu and Kashmir allowed detainees

access to a lawyer during interrogation; in some instances authorities allegedly denied detainees access to lawyers as well as medical attention. In July 2018 the Jammu and Kashmir government amended the PSA to remove the prohibition on detaining permanent residents of Jammu and Kashmir outside its borders. Between August 5 and 30, authorities used this amendment to detain approximately 285 individuals in Uttar Pradesh.

10. That the Petitioner state that, On June 8, Uttar Pradesh police arrested and filed criminal charges against a freelance journalist for allegedly posting a video of a woman claiming to be in a relationship with state chief minister Yogi Adityanath. On June 11, the Supreme Court ordered the release of the journalist and chastised the Uttar Pradesh government for the arrest. A True copy of India Today news about crime against Dalits, minorities in Uttar Pradesh dated 19.7.2019 annexed here as ANNEXURE – P 1

11. That the Petitioner state that, Between 2016 and 2019, National Human Rights Commission registered 2,008 cases where minorities/Dalits were harassed, including cases of lynchings. Of these, Uttar Pradesh alone accounted for 869 cases. So much so that in the past three years, 43 per cent of all cases of harassment of minorities and Dalits, taken up by NHRC, were registered in Uttar Pradesh. in regards to Dalits, the number of harassment cases registered by NHRC in Uttar Pradesh saw an increase of nearly 41 per cent (from 221 cases in 2016-17 to 311 in 2018-19).

12. That the Petitioner state that, Uttar Pradesh state government violation of Telecom Services Rules According to NGO Software Freedom Law Center, the Uttar Pradesh state government shut down the internet in different locations 134 times in 2018, the highest annual figure ever recorded. The NGO also reported that, through CAA protest, the state governments on 77 occasions temporarily shut down the internet in different locations across the state. The Uttar Pradesh government continued to block telecommunications and internet connections in certain regions during periods of political unrest or peace protest. Landline connections remains offline for more than one month in parts of the state is very often, The government frequently curtailed internet access during periods of particularly Uttar Pradesh. In December, in response to protests concerning the passage of the Citizenship (Amendment) Act, internet shutdowns were again used throughout the Uttar Pradesh state. 2017 the Ministry of Communications announced Temporary Suspension of Telecom Services Rules allowing the government to shut telephone and internet services temporarily during a “public emergency” or for “public safety.” According to these rules, an order for suspension could be made by a “competent authority” at either the center or state level.

13. That the Petitioner state that, In several sex trafficking cases in government-funded shelter homes uncovered in 2018, victims alleged in a few cases that government officials facilitated the trafficking and, in three cases, were clients of shelter residents exploited in sex trafficking. In Deoria, despite multiple letters from the district government to cease sending vulnerable women and children to a shelter operating without proper registration, three police superintendents sent at least 405 girls to

the shelter over two years, where shelter employees exploited many in sex trafficking. The Uttar Pradesh state government requested a report from all shelter homes in the state, initiated investigations, and arrested the owner of the shelter. In a separate case in Agra in October 2018, a judge sentenced a government-run shelter warden to life imprisonment on conviction of selling shelter residents into sex trafficking

14. That the Petitioner state that, Uttar Pradesh state Muslim women are not safe, the state police not taking any step to save Muslim women in Uttar Pradesh. The Muslim Women (Protection of Rights on Marriage) Bill 2019 banned the practice of “triple talaq” or instant divorce effective August 1. Some women seeking relief under this law experienced domestic violence. For example, on 2019 August 19, a 22-year-old woman in Shravasti District of Uttar Pradesh was burned alive by her husband and in-laws for approaching police after the man gave the woman “triple talaq.” Criminal charges were filed against the family on August 22, police abandoned the matter and did not taking any investigations.

15. That the Petitioner state that, So-called honor killings remained a problem in Uttar Pradesh. They were usually attributable to the victim’s marrying against his or her family’s wishes. In March 2018 the Supreme Court ordered state government to identify districts, subdivisions, and villages that witnessed incidents of honor killings to take remedial, preventive, and punitive measures to stop these crimes. In addition, the Supreme Court ruled that state government must create special cells in all districts for individuals to report harassment and threats to couples of intercaste marriage. So many innocent people had been killing in Uttar

Pradesh state in the name of honor but the state of Uttar Pradesh not taken sufficient steps to stop honor killing and hide all incidents.

16. That the Petitioner state that, mob lynching have to see in Uttar Pradesh is very often and police not taking actions against criminals. Media outlets reported more than 20 instances of mob lynching of individuals believed to be child abductors or Animal theft . On August 27, two brothers taking their nephew to a doctor were attacked by a mob in Sambhal, Uttar Pradesh, on the suspicion of being child abductors. One of the men died in the attack. Police could not arrested any one.

17. That the Petitioner state that, Dr Kafeel Khan was thrown into jail for months because he pointed out the lack of oxygen cylinders because of which many children died in a Gorakhpur hospital.

18. That the Petitioner state that, Uttar Pradesh police "unbridled human rights violations". Police used "stun grenades" against the "peacefully" protesting students at Aligarh Muslim University, Nearly 100 students were injured, 20 of them critically, during the state police's crackdown at protesting students at the University in Aligarh, Uttar Pradesh, on December 15. That Uttar Pradesh government had placed banners and posters bearing the names, photos and addresses of leading anti-CAA protestors in public places , the Hon'ble High Court of Uttar Pradesh noted it violation of fundamental rights, " This fundamental right provides lungs to the edifice of our entire constitutional system. Slightest injury to it is impermissible as that may be fatal for our values designed and depicted in the Preamble of the Constitution," "were a violation of

individual rights, a fundamental right that globally “underpins human dignity and key values of a democracy”. That most gross violation” of public rights. "no accountability" in case of human rights violations, alleged fake encounter killings there, cases of alleged extra-judicial killings but Uttar Pradesh government have not proper data about extra-judicial killings.

19. That the Petitioner state that, The National Human Rights Commission (NHRC) issued a notice to Uttar Pradesh June 09, 2020 , raise serious issues of violations of human rights as the state authorities have failed to ensure right to life and medical care to its citizens. An eight-month pregnant woman reportedly died in Gautam Buddha Nagar when a frantic 13-hour hospital hunt failed to find her a bed. The 30-year-old woman was taken to at least 8 hospitals by her husband including government-run hospitals before she died in an ambulance, just outside a health facility in Greater Noida on Friday. In another incident, a 26-year-old woman was allegedly refused admission by the district Hospital in Noida's Sector-30 and as a result she delivered a still born baby on the pavement outside the hospital. The family of the woman has reportedly alleged that had she got timely treatment the baby could have survived.

20. That the Petitioner state that, The NHRC has issued a notice to the police chief of Uttar Pradesh on December 26, 2019 after receiving various complaints that allege "violation of human rights" in police action undertaken during the ongoing anti-CAA protests in the state, Youths have been killed, the Internet has been suspended, and medias reported

videos that the police themselves are destroying public property in CAA protest.

21. That the Petitioner state that, Several people were arrested under sedition laws for expressing their dissent with government policy. People in Uttar Pradesh were arrested for even posting comments on social medias. A True copy of NDTV news about crime in Uttar Pradesh dated 12.1.2020 annexed here as ANNEXURE – P 2

22. That the Petitioner state that, Many people were attacked by vigilante cow protection groups. These self-appointed guardians of cows beat up many people legally transporting cattle even they not transporting cow, they were transporting bull and bullock , many of those affected were minority groups. Two Muslim cattle traders were found hanging from a tree in the state. Other violations included gangrape of women and forcing cattle transporters to eat cow dung.

23. That the Petitioner state that, Many armed groups committed human rights abuses they are loyalist with ruling party in Uttar Pradesh. These criminals have been of extortion, abductions and unlawful killings in entire state, armed groups in every part of the state are believed to have committed similar crimes. Crimes against children rose year by year sharply as compared to the previous year.

24. That the Petitioner state that, Activists too faced intimidation, physical attacks and harassment. Several other journalists and activists were also arrested on false or politically-motivated charges, such matters are often reported in Uttar Pradesh. A True copy of Indian Express news about crime and violation of fundamental rights in Uttar Pradesh dated 3.10.2020 annexed here as ANNEXURE – P 3

That Congress leaders Rahul Gandhi and Priyanka Gandhi, they are being National leaders were attacked and detained by the Uttar Pradesh police on the Yamuna Expressway on Thursday 1.10.2020. They stopped at the Delhi-Uttar Pradesh border when they set out to meet the relatives of the Dalit girl who had died after she was reportedly gang-raped and was cremated by cops in the dead of night. Rahul Gandhi said to medias that the U.P.cops had pushed him down and lathi-charged him. All medias published that Rahul Gandhi fell down it shows the state of Uttar Pradesh have not rule of law.

That National leaders Rahul Gandhi and Priyanka Gandhi facing such situation what about common man life in state of Uttar Pradesh.

25. That the Petitioner state that, 8 in every 10 neonatal deaths in Uttar Pradesh occurred within 7 days of birth, revealed a study conducted by non-profit organisation Child Rights and You (CRY). WHO defines neonatal death as deaths among live births during the first 28 completed days of life. According to the study titled 'An In-depth Study on Neo-Natal Health in three districts of Uttar Pradesh', 82 per cent of deaths of

newborns were reported to be early neonatal deaths that took place within a week of childbirth. The three districts of UP where the study was conducted include the rural areas of Kaushambi, Sonbhadra and Varanasi, which are among the backward districts in terms of neonatal health in the state, CRY report said. The study was conducted between July 2019 to July 2020, and the data was gathered using case studies of 55 neonatal deaths, chosen at random and the in-depth interviews of their mothers.

26. That the Petitioner state that, According to Centre for Monitoring Indian Economy (CMIE) data, unemployment almost doubled in UP during 2019 compared to 2018. The average unemployment in UP jumped to 9.95 per cent during the last year as against 5.91 per cent in 2018. Unemployment rate of 10 per cent means that nearly 10 in every 100 persons are unemployed. It is also notable that the unemployment rate in Uttar Pradesh was higher than the national average of 7.7 owing to a marked decline in economic activity in the country, which slipped to hit an over six-year low of 4.5 per cent in July-September quarter. The number of unemployed educated youth in India's most populous state, Uttar Pradesh, has grown by over 12.5 lakh in last two years to 34 lakh, the U.P. government said at the state assembly on February 14. In a written answer at the state assembly, said 33.93 lakh unemployed persons were registered as on February 7, 2020 with an online portal run by the labour department. The number of registered educated unemployed in UP stood at 21.39 lakh as on June 30, 2018. This amounts to a 58.43 per cent growth in the number of unemployed people in the state in the last two years, however, did not disclose reason behind rise in the number of unemployment in the state.

27. That the Petitioner state that, According world bank Uttar Pradesh is the most populous state in India and is home to 200 million people, 60 million of who are poor. The pace of poverty reduction in the state has been slower than the rest of the country. Poverty is widespread. The central and eastern districts in particular have very high levels of poverty. The state is also experiencing widening consumption inequality in urban areas. Growth is slow and is driven mainly by services.

28. That the Petitioner states that the Petitioner have not filed any similar writ petition or similar petition either in any High Court or this Hon'ble Supreme Court of India.

29. That Petitioner have not any personal interest and personal motive or oblique reason to file this Public Interest Litigation.

30. That the Petitioner states that Petitioner's Adress C.R.JayaSukin.

31. That the Petitioner states that the Petitioner's phone number is

32. Petitioner filed this petition on his own capacity.

33. That the Petitioner states that Petitioner's occupation is Advocate

34. That the Petitioner states that the Petitioner have not any civil and criminal and revenue litigation, involving the Petitioner or any of the Petitioner which has or could have a legal nexus with the issue involved in the Public Interest Litigation.

35. That the Petitioner states that Petitioner not sent any representation to the concern official or Respondent. Remedy Rely upon only this Hon'ble Court.

36. That the petitioner states that Nature of Injury is people of Uttar Pradesh state suffering and people live not safe . It is the violating the Article 21 of Indian Constitution.

37. CAUSE OF ACTION: that the Petitioner states that cause of action was started 2016 it continuation till today not only one place but also rest of the Uttar Pradesh State. If it continues people would face huge suffering and unbelievable injury may be caused in entire Uttar Pradesh State.

38. GROUNDS.

A. Because the Uttar Pradesh state is in an arbitrary manner without proper perusal of the records and without proper application of mind about entire people grievances .

B. Because the State of Uttar Pradesh has without following the basic principles of Natural justice and violate of Article 21 of the Indian Constitution.

C. It is humble submitted illegal movements of state of Uttar Pradesh will amount to discrimination. Such discrimination will amount to arbitrary and unreasonable exercise of power and the same shall not be in conformity Article 14, 16, 21 of the constitution of India.

D. It is humble submitted the fact, injustice has been caused to the entire Uttar Pradesh state people and their basic amenities have been affected by non appreciation of relevant materials in objectives and impartial manner by the State of Uttar Pradesh.

E. It is humble submitted the facts, State of Uttar Pradesh proceeding and working are illegal, Arbitrary, high handed, whimsical and unfair, abuse of Authority and against the principles of Natural Justice.

F. It is humble submitted Article 14 of the constitution of India clearly prohibits discrimination. If any discrimination without any intelligible differentia, certainly violation will be hit by Article 14.

Which is a guaranteed fundamental rights available to all person. The said right being the fundamental to treat equally among equals, cannot be negative.

G. It is humble submitted that respondents not released the local bodies funds an arbitrary manner without proper perusal of the records and without proper application of mind.

H. It is humble submitted that State of Uttar Pradesh has without following the basic principles of Natural justice and violate of Article 21 of the Indian Constitution. And is an extraneous consideration.

PRAYER

In the facts and circumstances of the case, as mentioned above, it is, therefore, most humbly prayed that this Hon'ble Court may graciously be pleased to ;-

A).Issue a writ of mandamus or any other appropriate Writ or Order or Direction or any suggestion or observation or particularly the nature of Writ, by giving direction to imposition of Article 356 of the Constitution of India in Uttar Pradesh State immediately.

B)Pass any other appropriate relief which may deem fit in the facts and circumstances of the case.

FOR THIS ACT OF KINDNESS THE PETITIONERS HEREIN AS IN
DUTY BOUND SHALL EVER PRAY.

Drawn by. C.R. Jaya Sukin

FILED BY :
C.R.JAYA SUKIN
Petitioner in Person

Filed on: 5.10.2020

INDIA TODAY

With 43% share in hate crimes, UP still most unsafe for minorities, Dalits

Between 2016 and 2019, National Human Rights Commission registered 2,008 cases where minorities/Dalits were harassed, including cases of lynchings. Of these, Uttar Pradesh alone accounted for 869 cases.

Mukesh Rawat
New Delhi

July 19, 2019

Data on cases registered by NHRC show a decreasing trend in harassment of minorities but an increase in the harassment of Dalits. (Photo: Reuters)

Uttar Pradesh Chief Minister Yogi Adityanath and the state police may claim to have improved the state's law and order situation but records of the National Human Rights Commission (NHRC) show that despite this, Uttar Pradesh continues to be the hub of harassment of minorities and Dalits.

So much so that in the past three years, 43 per cent of all cases of harassment of minorities and Dalits, taken up by NHRC, were registered in Uttar Pradesh. This includes cases of lynching.

Between 2016 and 2019 (till June 15), NHRC registered 2,008 cases where minorities/Dalits were harassed. Of these, Uttar Pradesh alone accounted for 869 cases.

However, even though Uttar Pradesh has a lion's share of these cases, the state has seen a decrease in cases of harassment of minorities. Between 2016-17 and 2018-19, such cases decreased by 54 per cent (from 42 cases to 19).

Meanwhile, in regards to Dalits, the number of harassment cases registered by NHRC in Uttar Pradesh saw an increase of nearly 41 per cent (from 221 cases in 2016-17 to 311 in 2018-19).

This information was revealed in a written reply by the Union home ministry in Parliament on July 16. It was in response to a question asked by K Navaskani, an Indian Union Muslim League MP from Tamil Nadu.

Navaskani had asked the government to provide details of complaints of harassment of minorities and Dalits, including lynching, during the past three years.

Overall, NHRC data on cases registered by it show a decreasing trend in harassment of minorities but an increase in the harassment of Dalits.

In 2016-17, NHRC registered 117 cases where minorities were harassed in India. This figure fell to 67 in 2017-18 but rose to 79 the next year. This year (from April 1 to June 15), NHRC has registered five cases where minorities were harassed.

In regards to harassment of Dalits, cases registered by NHRC have seen an increase of 33 per cent in the past three years. In 2016-17, NHRC registered 505 cases. By 2018-19 this figure increased to 672 -- nearly two cases every day. This year (till June 15) NHRC has already registered 99 cases where Dalits were harassed.

The prevalence of harassment of minorities and Dalits in Uttar Pradesh can also be understood from the fact that the total number of cases registered by NHRC in Uttar Pradesh (869 cases) is 563 per cent more than the ones from Rajasthan (131 cases) -- a state which is closest to Uttar Pradesh in terms of harassment of minorities and Dalits.

Another trend that can be deduced from the NHRC data is that harassment of minorities and Dalits in India is concentrated mainly in a few Hindi-speaking states.

Uttar Pradesh, Rajasthan, Bihar, Haryana and Madhya Pradesh (states that cover much of the 'cow belt') account for 64 per cent cases of harassment of minorities and Dalits in the country. If we add Delhi, Gujarat and Uttarakhand, this share balloons to 75 per cent.

HARASSMENT OF DALITS/MINORITIES CONCENTRATED IN F

STATE	TOTAL CASES	% OF NATIONAL FIGURE
UP	869	43
Rajasthan	131	6.5
Haryana	106	5.2
Bihar	97	4.8
MP	88	4.3
Gujarat	88	4.3
Delhi	76	3.7
Uttarakhand	58	2.8

Tota

SOURCE: LOK SABHA UNSTARRED QUESTION NO 3678

In contrast, the five southern states -- Tamil Nadu, Kerala, Telangana, Karnataka and Andhra Pradesh, along with the Union territory of Pudducherry collectively account for just 9.5 per cent cases where minorities and Dalits were harassed in the past three years.

The eight Northeastern states had 0.54 per cent cases to their share, while eastern states like West Bengal and Odisha together had 5.17 cases in their share.

Note: *Figures mentioned in this report are the number of cases registered by the National Human Rights Commission (NHRC). They do not necessarily reflect the total cases of harassment of minorities and Dalits in India. The actual figure is likely to be higher than this because not all cases are taken up by the NHRC.*

// TRUE COPY //

NDTV

Crime Rate High In UP, Shows Data. Top Cop Pins It On "Large Population"

The NCRB report, released on Thursday, claims that 4,322 cases of rape were reported in 2018, with almost 12 taking place daily.

January 12, 2020

Lucknow:

According to the annual report of the National Crime Records Bureau (NCRB), a case of rape is registered with the Uttar Pradesh police every two hours while crime against a child is reported every 90 minutes in the state.

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The state also recorded 59,445 crimes against women with 162 being reported everyday, which indicates a surge of 7 per cent in 2017, when 56,011 crimes - 153 crimes per day - were registered.

In case of children, 144 girls were reportedly raped in 2018 against 139 in 2017.

According to the NCRB report, Lucknow topped in 19 cities in crime against women with 2,736 being reported in 2018.

Similarly, 19,936 crimes were reported against children with 55 reported per day in the state.

In 2017, 19,145 such cases were reported with an average of 52 being reported per day.

Uttar Pradesh also recorded the highest number of 2,444 dowry deaths in 2018, but witnessed a decrease of 3 per cent in comparison to 2017 when 2,524 cases were reported.

Crimes against senior citizens also recorded an increase, according to the NCRB report. As many as 454 offences were reported in 2018, which is more than 12 per cent in 2017.

Nearly 131 elderly people were murdered in 2018, compared to 129 killed in 2017. Cases of robbery reported by senior citizens also registered a slight increase with 15 incidents in 2018 and 14 in 2017.

ADG Uttar Pradesh Asim Arun said that a helpline for the senior citizens called 'Savera' had been introduced recently.

"Any senior citizen facing any kind of harassment can contact UP 112 and get help," he said, adding that since October 2019, as many as 1.1 lakh elders in the state have been registered by UP 112.

The state also saw an increase in cases of cyber crime in 2018. Nearly 6,280 cyber crime cases were reported in 2018, an increase of 26 per cent as compared to 2017.

However, the Uttar Pradesh Police rubbished the figures in the report.

"The rape cases in Uttar Pradesh are 3,946 and not 4,322. The number of rape cases actually came down by 7 per cent in 2018, compared to 2017," it said in an official statement.

Meanwhile, DGP OP Singh said that the crime figures should be seen in context of the population of the state.

"Uttar Pradesh has the largest population and the crime figures will naturally be higher than other states. We have taken several measures to check crime. Our emergency helpline is closely monitored to find the blind spots and strict action is taken if ny police personnel are found lacking."

"We are also reviving the beat constable system in order to establish a rapport between the common man and the police," he added.

// True copy //

Gang rape victim's village sealed to prevent media, politicians from entering; Hathras SP suspended

No outsiders, including politicians and reporters, are being allowed to speak to the family and a tight security cordon has been laid around the village peripheries.

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Express News Service

LUCKNOW: As the fire of protest over Hathras gangrape-murder spread on Friday, the police clamped down further on the victim's family, cutting off all communication and turning the entire Boolgarhi village into a fortress.

Later in the evening, an embattled Uttar Pradesh government suspended the district SP and four other policemen amid mounting criticism over the government's handling of the entire matter.

The family is allegedly holed up inside their home while all entries to the village have been sealed. No outsiders, including politicians and reporters, are being allowed to speak to the family and a tight security cordon has been laid around the village peripheries.

A cousin of the victim, who managed to slip away and speak to media persons on Friday morning, alleged the police had taken away the mobile phones of all family members. He said the police were not allowing anybody to step out of the house.

"Our family is being threatened. My uncle asked me to try to reach out to the media. He was assaulted by the DM yesterday and fell unconscious," the boy alleged.

Hathras Additional SP Prakash Kumar said no politicians or media personnel would be allowed till SIT completes its probe.

A four-member delegation of Trinamool Congress leaders that had gone to meet the victim's family was stopped some 1.5 km away from village.

The party's Rajya Sabha MP Derek O'Brien was pushed during a scuffle with policemen while Lok Sabha MP Kakoli Ghosh-Dastidar was also allegedly roughed up.

Meanwhile, protests flared up across the country, with Congress general secretary Priyanka Gandhi Vadra attending a prayer meeting organised by the Valmiki community in Delhi and asserting the party would continue to exert pressure on the government till justice is delivered.

Hundreds of activists gathered at Jantar Mantar in Delhi to demand justice for the victim and condemn attempts to silence the family.

Senior BJP leader Uma Bharti said Friday the "suspicious" action of UP police in the Hathras incident has "dented" the image of the BJP, the state government and Chief Minister Yogi Adityanath and requested him to allow mediapersons and politicians to meet the victim's family.

Bharti, who has been admitted to AIIMS-Rishikesh after testing positive for COVID-19, said had she been fine she would have herself visited the family in Hathras district, and added she will definitely visit the family after getting discharged from the hospital.

"UP police's suspicious action has dented the image of BJP, UP government and Chief Minister Yogi Adityanath," the senior BJP leader said in a series of tweets in Hindi.

Bharti said she has been keeping a close watch on the entire Hathras incident and urged Adityanath to allow media and political leaders to meet the aggrieved family.

Describing the UP chief minister as an "administrator with a clean image", Bharti related herself as his elder sister but in a limited number of words indicated she was forced to speak after the police laid siege to the village and the victim's family.

She said she was hesitant to speak as she thought the chief minister must have been taking appropriate action.

Appearing critical of the police action in handling the case, Bharti said the last rites of the Dalit victim was done in a hastily manner by the police.

She further said that there is no rule that a family cannot be allowed to meet anyone during an investigation, in fact this brings the SIT investigation in this case under suspicion.

Opposition continues its attack on UP government after Trinamool delegation stopped from visiting village

A Trinamool Congress delegation was stopped from meeting the victim's family and its members alleged they were pushed around by officials.

"In view of the current situation, no political representatives or media personnel would be allowed entry into the village till the SIT (Special Investigation Team) completes its probe," Hathras Additional Superintendent of Police Prakash Kumar told reporters.

The Yogi Adityanath government continued to draw flak over the alleged gang-rape and the subsequent death of the 19-year-old woman.

Samajwadi Party workers took out a protest in Lucknow, and were lathi-charged by police.

There were protests also in Aligarh, Mathura and Allahabad in Uttar Pradesh.

Students, civil rights activists and political workers gathered at Delhi's Jantar Mantar in the evening.

Several political leaders, including from the Aam Aadmi Party and the Left, joined the protest.

In Hathras district, a group of Trinamool Congress MPs was stopped one and half kilometers from the victim's home, a party statement said.

Derek O'Brien, Kakoli Ghosh Dastidar and Pratima Mandal, and former MP Mamata Thakur travelled in separate cars to avoid detection and met up 25 km ahead of Hathras, party sources said.

They managed to enter the victim's village, but were unable to meet the family.

The group alleged that O'Brien fell to the ground after being pushed and Mandal was manhandled by an official.

The MPs later filed a police complaint and also held a dharna.

A day earlier, Congress leaders Rahul Gandhi and Priyanka Gandhi Vadra were detained by UP Police in Greater Noida while they were on their way to Hathras.

The woman was allegedly gang-raped in a brutal assault on September 14 that left her with severe injuries.

She died at Delhi's Safdarjung Hospital on Tuesday.

Four men have been arrested.

She was cremated in the middle of the night with family members claiming that police ignored their pleas to bring the body home one last time.

The hurried cremation triggered further outrage over the episode.

On Friday, UP Chief Minister Yogi Adityanath warned that his government will make an example of those who commit crimes on women.

In a tweet in Hindi, he said those who even think of hurting a woman's self-respect will face "total destruction".

Hours later, the state government announced the suspension of Hathras SP Vikrant Vir, circle officer Ramshabd and three others on the basis of a preliminary report submitted by the SIT looking into the case.

In Delhi, Congress general secretary Priyanka Gandhi Vadra took part in a prayer meeting by the Valmiki community at their temple in central Delhi.

"Each and every woman of this country should raise her voice against what has happened to the woman in Hathras," she said.

On Twitter, she welcomed the Allahabad High Court order summoning top Uttar Pradesh officials in connection with the Hathras episode.

"The entire nation is demanding justice for the Hathras rape victim. The HC order shines a ray of hope amidst the dark, inhuman and unjust treatment meted out to her family by the UP Government," she said.

Also on Twitter, Rahul Gandhi shared a video clip of a child who alleged that members of the victim's family were beaten up and threatened by the authorities.

"The UP government has taken to brutality to cover up the truth. Neither us, nor the media is being allowed to meet the victim's family. Neither are they allowed to come out. On top of this, the family members of the victim are being beaten up and brutalized," he said.

In Chandigarh, Congress leader Randeep Singh Surjewala referred to victim's cremation at night, saying the Yogi Adityanath government should "hang its head in shame".

Delhi Chief Minister Arvind Kejriwal also criticised the BJP government in Uttar Pradesh, saying Hindu traditions don't allow cremation at night.

"Her family was not even allowed to have a last glimpse of her," he said.

Congress leader Sachin Pilot condemned the detention of Rahul Gandhi and Priyanka Gandhi on Thursday.

"Uttar Pradesh Chief Minister Yogi Adityanath and the entire administration have left no stone unturned to suppress the voice of the opposition," the former Rajasthan deputy chief minister said in Jaipur.

TRUE COPY

**IN THE SUPREME COURT OF INDIA
CIVIL ORIGINAL JURISDICTION
UNDER ARTICLE 32 OF CONSTITUTION OF INDIA, 1950
PUBLIC INTEREST LITIGATION
WRIT PETITION (CIV) NO. OF 2018
I.A. NO.....2018**

IN THE MATTER OF

C.R.JayaSukin Petitioner

Versus

Union of India & ors Respondents

**Application for Permission to Appear and Argue in
Person.**

TO

THE HON'BLE CHIEF JUSTICE AND
THE OTHER COMPANION JUDGES OF
THE HONBLE SUPREME COURT OF INDIA

HUMBLE PETITION OF THE
PETITIONER ABOVE NAMED

MOST RESPECTFULLY SHOWETH:

1. Petitioner states that this issue involved in the public interest litigation.

2. That I am the petitioner-in-person in above mentioned matter and I am fully conversant with the facts and circumstances of the case.

3. That I may kindly be permitted to appear in the case and arguing in person. That the petitioner has sufficient knowledge to appear and argue, practicing as Advocate in this Hon'ble Court. The petitioner had argued as advocate in SLP Criminal No.3494 of 2020, Writ Petition Civil No.738 of 2020, Writ Petition Criminal No.726 of 2020, SLP (C) No.8927 of 2020, Writ Petition Civil No.517 of 2020 and other cases before this Hon'ble court. And willing to accept an advocate appointment for me by court, if court feel necessary.

4. That the writ petition has filed bonafide and it is in the interest of justice,

PRAYER

It is, therefore most respectfully prayed that this Hon'ble Court may be graciously pleased to:

1. Kindly Grant permission to appear and argue in person to the Petitioner.
2. Pass such order and orders as this Hon'ble Court may deem fit and proper under the facts and circumstances of the case.

New Delhi
5.10.20

Filed by

C.R. Jaya Sukin
Petitioner in person.