

Hon'ble Justice S.A.Bobde

Chief Justice of India,

Supreme Court, New Delhi.

2 December,2020

Subject: Open letter from students of Centre for Human Rights and Duties, Panjab University, Chandigarh, requesting you and your brethren judges to consider and reckon the protesting farmers plight, arisen out of new farm laws.

“A hope of cauterization to the festers spawned by callous and indifferent attitude of the Government of India and even illegitimate and unconstitutional use of power.”

Your lordship, we being students of human rights are very much disturbed and disheartened by witnessing the execrable way in which the Government of India is dealing with its own farmers, who are protesting much peacefully as per their constitutional rights.

We presume that your goodself , being a carton of Justice, might be aware of the present gruesome situation but still we think that the real picture of farmers affliction, distress and agony might not be clear to you either because of the biased media, burden of pending cases or any other reason we may not be aware of; because it is our firm belief that if your lordship acknowledges the plight of farmers from the eyes of human rights students or even bare Citizens of India, your goodself will definitely act as judiciary had acted earlier in various similar such cases, where justice, equity and good conscience were on stake as prevalent in this very situation.

As requested above we are citing here the chain of events which have proved the Government of India's callous, insensitive and inhumane behavior:

1. Firstly in a democratic country, the will and sentiments of people are sine-qua-non. But, here the Government of India is turning deaf and indifferent in toto to the farmers plight. We believe the course of action taken by the Government of India is insensitive to understand farmers' sentiments. Farmers in India, who consider land as their sacrosanct mother, are so much threatened, feared, and fretted that they have no way left out, but peaceful protests to showcase their pathological vulnerability even amidst a global pandemic.

2. Secondly after more than two months of peaceful protests in their home states, served with incompatible gestures of Government of India when farmers (felt marooned) decided to approach to the National Capital Delhi, the peaceful protestors (farmers) were thrashed and walloped that it seemed raising voice for the Fundamental Rights as provided by the Supreme Law of the Nation is a dreadful crime (which it is not).

Your Lordship, we are sending you some photographs (enclosed herewith as Annexure), seeing them a layman can knowledge the susceptible vulnerability of farmers and the vindictive, atrocious and unconstitutional abuse of power. In fact, former judges of Punjab and Haryana High Court say that “*government bulldozed laws through parliaments*”. To quote: “*To protest peacefully against any grievance is a constitutionally protected right of every citizen. The manner in which the farmers peacefully moving to Delhi were treated by Haryana Police was not only undemocratic, but brutal as well,*” (<https://theprint.in/india/ex-judges-of-punjab-haryana-hc-back-farmers-say-govt-bulldozed-laws-through-parliament/556293/>)

3. Thirdly, despite of addressing this gruesome situation, government and unconscientious overly- biased media outlets are trying to polarize the whole peaceful movement by associating it with separatism. Your Lordship, we want to bring to your notice a few points and instances:
 - a. One of the protesting farmers, Kulwant Singh, is father of a 22-year-old Shaheed Rifleman Sukhbir Singh who died in line of duty along LOC guarding India’s borders, while his father is suffering this inhumane plight fighting for his own rights.
 - b. Even after suffering brutal blows and carrying the inflicted injuries from the paramilitary forces, the farmers of India are offering and reciprocating with never ending ‘langar’ or communal free kitchen and meals.

We believe that Your Lordship can clearly concede the above happenings, while seeing the enclosed photographs.

4. Fourthly even after facing much ghastriness when these farmers were able to reach the Capital by the very humane aid and help of their brethren farming community of Haryana, Delhi Police (acting on advisory of Central Government) despite of solving the raised issues

planned to 'Jail' them; the permission for which was though not granted by ruling Delhi Government.

5. Lastly, even after facing much horridness and macabre

“Deaths of a few farmers....and many more barely surviving vital crippling injuries....by water canon clampdowns, tear gas shells....lathis....in prevailing harsh weather”

mental, physical, spiritual and emotional breakdown, the farmers are still maintaining the peace, amity, quiet and serenity of the protest, respecting law and order, which is very much tough to maintain if one can see the festers farmers are surviving! But, Government is acting still in an adamant and obstinate way and is might missing that sensitivity which we all are expecting from the Government.

Your Lordship, being Paramount of Justice, your power to know, fathom, and understand these instruments of justice: -

- a. Fundamental Rights are enshrined in the Constitution of India 1949
- b. Precedent establishing case laws.
- c. Respective Articles of Universal Declaration of Human Rights 1948.
- d. International Covenant on Civil and Political Rights, which India ratified in 1979
- e. International Covenant on Economic, Social and Cultural Rights, which was also ratified in 1979

is much profound and empathetic than us budding human rights defenders. We, tiny droplets of water, are not that capable to show the ocean a way of its tides and currents.

Your Lordship, all we want is Justice to prevail. In the words of veteran Nani A. Palkhivala:

“When the history of our benighted times comes to be written it will be plainly perceived that the Supreme Court of India was the one institution which served the nation most meritoriously in its hour of need.”

This is an open letter signed by human rights students including research scholars, current batch as well as former students. It is an empathetic humble request seeking your immediate intervention so as to protect this gross neglect of human rights, being a hope of last resort.

PRAYER:

It is prayed to this Hon'ble Court, that this Hon'ble Court may,

- Direct an inquiry of the Haryana Police, regarding illegitimate use of water cannons, tear gases shells and lathis on peaceful protesting farmers.
- Direct Haryana Police, Delhi Police to withdraw all the cases against innocent farmers which were registered under political vendetta.
- Order to look into the cases of illegal detention of protesters.
- Direct the governments at both Central and State level to ensure safety of all protesters, and provide basic amenities for all, especially women, children and elderly. Mobile toilet vans should be provided at protest places.
- Issue appropriate guidelines, as the court may deem fit, regarding hygienic conditions at protest sites in the backdrop of COVID-19.
- Take an action to curb fake news and against media channels, engaged in misrepresentation, polarisation and sensationalisation of the whole issue.

Thanking you for your precious time and consideration and any inconvenience caused is deeply regretted. We lay our trust in you to protect the human rights of the citizens of this nation.

Sincerely undersigned students:

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9. Harjinder Kaur (3rd Semester)
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With Hope,

(Research Scholars, Current Batch, and Former Students at Centre for Human Rights and Duties,
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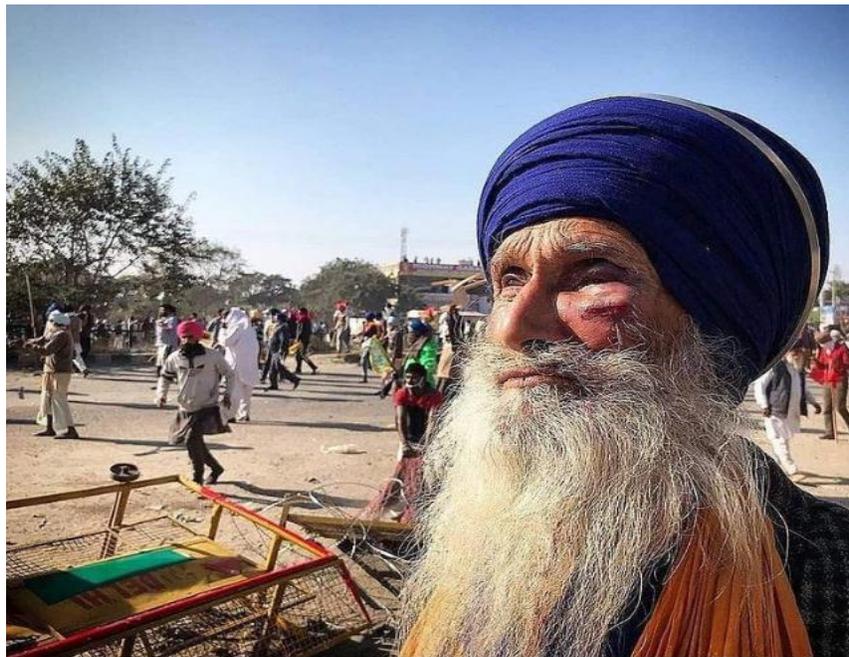
ANNEXURE

Attached Photos

Total Number: 13









(Deceased farmer Gurbaksh Singh; being students of human rights we won't consider this as a 'natural death')





