

IN THE SUPREME COURT OF INDIA

Criminal Original Jurisdiction

(UNDER ARTICLE 32 OF THE CONSTITUTION OF INDIA)

Writ Petition (CRL.) O F 2013

In the matter of :

ANHAD

A registered Public Trust having its office at

C-5, Nizamuddin West Basement

New Delhi – 110 013

Through the Managing Trustee

Shabnam Hashmi

.....Petitioner

Versus

1. State of Uttar Pradesh

Through its Chief Secretary,

Department of Home Affairs,

Secretariat, Lucknow,

Uttar Pradesh.

...Respondent No.1

2. Union of India

Through its Secretary

Department of Home Affairs

North Block, New Delhi.

...Respondent No.2

To,

**THE HON`BLE CHIEF JUSTICE OF INDIA & HIS
LORDSHIP'S COMPANION JUDGES OF THE HON`BLE
SUPREME COURT OF INDIA.**

**THE HUMBLE PETITION OF
THE PETITIONER ABOVE NAMED**

MOST RESPECTFULLY SHOWETH:

1. This Public Interest Litigation is filed under Article 32 of the Constitution of India is being filed by the petitioner after several reputed organizations carried out fact-findings into the communal attacks that took place mainly in the districts of Muzaffarnagar, Shamli, Meerut and Saharanpur in the State of Uttar Pradesh from 27.8.13 continued in a sporadic and diminished way even till today, in which as per official report 52 people has been killed another 150 injured, hundreds of houses ransacked, looted and burned and dozens of religious places were damaged, whereas the unofficial report is much higher than the official report of casualty. The petitioner ANHAD (Act Now For Harmony & Democracy) is a reputed and registered organization in India having its head office in New Delhi which is working on issues relating to secularism and communal violence and is registered through registration no.1708/4/3127, copy annexed with vakalatnama.

1A. That the petitioner has not approached the concerned authorities for the same relief in this court or any other court.

2. The first fact-finding report titled "Evil Stalks the Land" is dated 24.9.13 and is published by the petitioner organization after it took a large team of journalists, social activists, lawyers, law students, film makers and NGOs to the riot affected districts and met the victims in the camps and video recorded the stories as told to them by the victims. What is clear from this report is that though the attacks may have taken place in September 2013 the preparation for communal riots go back nine months back. Secondly, even though the attacks may have stopped for the moment, the clandestine preparation for communal mobilization and the distinct possibility of such events happening again indicates that this Hon'ble Court is now called upon not only to go into the root of the matter but also to make certain directions and take certain steps to ensure that communalism is stamped out and the possibility of future riots eliminated altogether.

3. In this report extensive details are given of the individuals and parties those were involved in the riots. The members of the fact-finding have also given full details of the conditions of the Jamia Arabia Zainatul Islam Camp, Rashid Ali Gate,

Loni, the Kandhla Idgah Camp, Kandla, Ismail Colony Camp, Mustafabad Camp, Bijli Ghar Camp, Shamli, Danga Pidit Rahat Shivar, Jola, Shamli Camp, Malakhpura, Khurman Road Camp, Kairana, Loi Camp.

4. All the persons from these camps in the interview spoke of the shortage of ration, lack of medicines and doctors, unhygienic conditions, lack of toilets, people falling sick due to the unhygienic conditions, pregnant women delivering babies in very dirty conditions because the government hospitals were not treating patients, lack of security, shortage of tents, no education facilities for the children, lack of employees to clean the camp, lack of ambulances, no wood for fuel, no utensils, shortage of milk, shortage of blankets, children dying due to snake bites and so on.

5. While taking the testimonies of the victims from the camps, these victims gave not only a graphic account of the attacks but they also gave the names of the assailants. This list of the accused persons as per the FIR's lodged at various police stations which contains names of the persons whom the victims have identified as their assailants in the various reports and fact findings referred to in this petition. It is

shocking that in police station Fugana, district Muzaffarnagar 55 accused person have been clearly identified by the victims and eye- witnesses and only 17 accused persons have been arrested so far. The number of FIR registered in Police station is 6. The true copy of the list of the accused persons as per the FIR's lodged at various police stations dated Nil is hereby annexed as **Annexure – P1**.

6. The various reports also gave the names of the deceased and injured and missing. The government figure of the deceased is 48 whereas 53 post mortem has been conducted by the government hospitals in regard to the riot victims. The casualty of life is much higher to this figure, the small example is indicated from the list of deceased which indicates the name of 65 deceased people only. It is important to state that this is only a very partial list as the fact finding reports have covered only a very small portion of the affected population. The number of missing persons is still uncertain because neither any government agency has disclosed nor there is any coordination for ascertaining the said facts. Even till today there is no helpline for missing or for the disclosure of the names of the dead and injured. The true copy of the list of deceased who was killed in the riot dated Nil is hereby annexed as **Annexure – P2**.

7. The Times of India published a report titled as 'Muzaffarnagar riots leave children scarred for life' dated 13.9.13 where the testimonies of the riot affected children's were taken and which shows the brutality of the rioters where the victims they clearly recognized their assaulters and the murderers of their family members. But after large scale publication in National daily also no arrest is made of the named accused persons, who are roaming freely which shows clear failure of the state government. The true copy off the TOI report dated: 13.09.2013 is hereby annexed as **Annexure – P3**.

8. Another report dated: 14.09.2013 was published in Times of India where the reported statement of a doctor is published who conducted autopsies at Muzaffarnagar District Hospital where he confirms that a woman's body was cut into two pieces. The true copy off the TOI report dated: 14.09.2013 is hereby annexed as **Annexure – P4**.

9. The hiatus of barbarism can be seen from the extracts of the various fact finding reports, oral testimonies and the FIRs which have been duly confirmed by the Medical Officers who received the dead bodies for post mortem, viz bodies of young children that had been brutalized and burned, a

women's body, cut into pieces, a women and infant in her lap burnt alive and later remained as unidentified body, five women and minor girls whose FIRs have been lodged reported cases of gang rapes, whereas dozens of girls told the atrocities of gang rape and sexual assault, those girls are not coming forward for lodging FIRs being insecure and in trauma. A deadly incident of cut into pieces of humans on the saw machine has been reported, children have drown in canal while fleeing, kidnapping of young girls, house burning, ransacking of religious places and looting of properties.

10. The CPI (M) delegation consisting of Saidul Haque, Lok Sabha MP, Subhashini Ali, member Central Committee and D.P. Singh, member UP State Secretariat. The true copy of the report by CPI (M) dated: 15.09.2013 is hereby annexed as **Annexure – P5**.

11. On 16.9.13 it was reported in the Milli Gazette, Newspaper, that a delegation of eminent Muslim leaders met the Prime Minister and gave him details of the attack that had taken place. This delegation has demanded from the Hon'ble Prime Minister for immediate pressing of the Communal Violence (Prevention) Bill, as an extraordinary measure to curb the

riots. The true copy of the Milli Gazette, Newspaper dated; 16.09.2013 where the report of such meeting was published is hereby annexed as **Annexure – P6.**

12. Another report dated 17.9.13 is a fact finding exercise coordinated by the Centre for Policy Analysis (CPA). Team members were human rights activist and former civil servant Harsh Mander, former Director-General of the Border Security Force, E. N. Rammohan, Professor Kamal Mitra Chenoy of Jawaharlal Nehru University, National Integration Council member John Dayal, Senior Journalist Sukumar Muralidharan and CPA Director and Director Seema Mustafa. The true copy of the report by Centre for Policy Analysis dated: 17.09.2013 is hereby annexed as **Annexure – P7.**

13. The National Commission for Minorities sent a fact finding team to Muzaffar Nagar on 19.9.13 and the recorded the statements of the victims who gave details of how certain politicians from national political parties gave provocative slogans resulting in the riots occurring and people being killed. Though the police officers at many police stations were siding with the assailants there were certain outstanding police officers who saved the lives of the Muslims. After that

visit, the commission recommended, inter alia, that FIRs be launched in regard to the murders and assaults.

14. A follow up visit was made by the National Commission for Minorities consisting of the full Commission namely, Chairman, Mr. Wajahat Habibullah and all members Mr. K.N. Daruwalla, Dr. Ajaib Singh and Mr. T.N. Shanoo. According to the Commission there were 41 relief camps with 50,180 persons in Muzaffar Nagar and Shamli districts as on 19.9.13 and the victim families were mainly landless persons, weavers and self employed artisans, louhars and the persons in the camps were predominantly Muslim. As on 19.9.13 the Commission recorded the statements of the officials as saying that there were 45 deaths, 21 persons were seriously injured and 31 others have received injuries. The police informed the Commission that they had no list of missing persons. The true copy of the National Commission for Minorities Report dated: 19.9.2013 is hereby annexed as **Annexure – P8.**

15. That the Petitioner has also put on record (collectively) photographs in respect of the incidents that had taken place. The true copy of the photographs are hereby annexed as **Annexure – P9.**

16. Another report is titled "A Human Tragedy Unfolds as the State Watches" is a preliminary citizens report dated 20.9.13 and is brought out by a group of socially oriented activists including Pushpa and Maheshwari from Vanangana (Chitrakoot), Askari Naqvi, Puneet, Meena and Azra from Rehnuma Adhikar Manch, Sanatkada Samajik Pehel (Lucknow), Rehana Adeeb, Usman and Shadab from Astitva (Muzaffarnagar), Archana Dwivedi from Nirantar (Delhi), Disha Mullick from The Women, Media and News Trust (Delhi) and Farah Naqvi, writer and activist (Delhi). This report contains photographs and the team has made recommendations. The true copy of the preliminary citizens report dated 20.9.13 is hereby annexed as **Annexure P-10**.

17. In this report it is pointed, inter alia, that mothers were forced leave their children while fleeing and that there were a large number of missing persons with whom there is no contact even till today. Reports were heard of bodies being burnt and buried without panchanamas and postmortems. The team heard accounts of rape and gang rape.

18. This report reveals that officials told them that the official estimate of those displaced as 25,000 of which all except 700 are Muslim. The community leaders put the numbers of

displaced as 50,000. This report also comments on the preparation for the riots and comments on a series of incidents of a communal nature indicating that the riot was not a one-time event but had antecedents and could possibly continue in the future. In this report there are adverse comments on the role of the Maha Panchayats. There is also a comment on hate speech publications including a video clip and internet messages. Pradhans of certain villages were leading the violent mobs at many places. The response of the police was too little too late. Some police stations had tacit sympathy for the aggressors. The role of the media in instigating and promoting caste violence has been adversely commented upon.

19. Particularly shocking are the testimonies of the victims set out in detail in the ANHAD report where the victim speak of the manner in which their family members were killed, their houses burned, their daughters raped, their property looted and their places of worship destroyed. The report also contained details of the role of the administration in allowing the riots to take place. It points out that most of the accused are roaming free. The report ends with a list of demands and recommendations. The true copy of the ANHAD report

released on dated 24.9.2013 is hereby annexed as **Annexure – P11.**

20. Similar reports have been prepared by Jawaharlal Nehru University Students Union (JNUSU) members who did a fact finding on 21st and 22nd September and made a report. The true copy of the report by Jawaharlal Nehru University Students Union (JNUSU) dated: 29.09.2013 is hereby annexed as **Annexure – P12.**

21. A similar report was prepared by the National Confederation of Human Rights Organisations consisting of Adv. K.P. Mohammad Shareef (Vice Chairperson, NCHRO), Adv. Vijendra Kumar Kasana (Delhi), Adv. Y.K. Shabana (CPDR, Mumbai), Adv. Shafuddin (Kanpur), Swati Sinha (student activist, Delhi), Adv. Amith (Delhi), Mool chand (journalist, Delhi), and Dr. Rahul Singh (Delhi). The true copy of the report dated 30.09.2013: Nil by National Confederation of Human Rights Organizations is hereby annexed as **Annexure – P13.**

22. These reports indicate that the UP police force is seriously compromised and has been unable to investigate fearlessly,

inter alia, on account of political interference and communal frenzy. Further critical evidence crucial for the prosecution of the accused persons is being done away with. For example the saw machine which was used to dismember body parts was being taken away to be sold as junk when it was intercepted by the police on the insistence of the social activists and seized on 3.10.13. Dead bodies in several parts of the districts were reported as being disposed of. The sites of the crimes were being interfered with and not sealed off. It appears as if the state police and the administration and the main political parties that colluded with each other in engineering these riots are now concentrating on interfering with the evidence and the investigation.

23. Though it is widely and correctly reported in all the newspapers and in the media as well that certain political parties deliberately instigated the riots and thereafter fanned the flames of communal fury such pleadings are not being put in this petition for the reason that the relief clauses seek that investigation be done by an SIT and enquiry into the causes of the riots and related issues be done by an independent body. Should this court agree with this petitioner and grant such reliefs then the independent body will report on the

political parties and other organizations that have caused the riots.

24. It was widely reported that a considerable number of women, all from the minority community were raped and ganged raped. It is further reported that the women doctors employed in government hospitals were dealing with these women in an unsympathetic manner perhaps with an ideological slant. The women are therefore doubly traumatized.

25. **FOUNDATIONS:**

A. Because the cases of riot like situation were being continuously reported in the western Uttar Pradesh, in large number of First Information Reports, it was continuously reported to the local police Stations where small incidents were being converted to riot like situations. The cases of sexual assault against the women folks were drawn continuous attention. It is to note that the Intelligence inputs put an alarm to the State of Uttar Pradesh that the violence of large scale may erupt in the western Uttar Pradesh in the wake of forthcoming parliamentary election

for the purpose of polarization and to woo the voters. The State Government failed to act swiftly and till now, the administrative machinery is sitting idle and a sense of insecurity still percolate in the minds of public at large. The District Magistrates had eclipsed the relief provided by the civil societies and adopted a modus operandi to shrug away from their own constitutional obligation in the manner as it ought to have been done in a systematic and pragmatic manner as the governmental agency had to work.

B. That despite continuous mandamus and monitoring of this Hon'ble Court the State Government and the Union of India failed to provide minimum basic relief and rehabilitation measures in true spirit and intent as it is directed by this Hon'ble Court. The State of Uttar Pradesh and the Union of India miserably failed to redress the basic minimum needs for bare minimal sustenance as guaranteed by the constitution of India under Article 21 of the Constitution of India. Had no civil society and right think tank awake during the extreme emergency of scarcity of food and shelter the situation of miseries might be to the extreme.

C. Because the State is duty bound to protect the rights of citizens of India, which had not been proactively done to cop up, the state officials continuously facilitating in the eliminating the evidence, and had virtually put the criminal justice system at knot. The status report of the State of Uttar Pradesh filed before this Hon'ble Court is just an eye wash, merely reduced to a paper work, and virtually did nothing to respect the honor and dignity of the human being and had virtually created a inhuman situation which clearly reflect in almost all fact finding reports. The unfolded miseries of the human being have not been redressed rather it had been a mere rhetoric of the political games.

D. That District administration of Muzaffarnagar and Shamli had acted in a biased and partial manner for not settling down more than 5000 displaced children as per the project "Assist" to children who have been affected by the riots and violence in Muzaffarnagar. In pursuance thereof the local administration miserably failed to identity the riot affected children and accordingly to carve out a list thereof.

E. Because despite the communication dated 12.9.2013 and 14.9.2013 from the Ministry of Food and Public Distribution requesting to lift the food grains for six months at one go and to advise any additional requirement of the same. Despite such efforts of the Central Government the state government remained as a mute and dormant spectator and there remains acute scarcity of the food to the riot affected victims and the stranded persons.

F. Because as per the communication from the Ministry and Health and Family Welfare, Directorate General of Health Services (Emergency Medical Relief) vide letter dated 24.9.2013, State of Uttar Pradesh has not sought any medical assistance from the Ministry of health for the affected persons till date. Moreover, the Ministry of Health has not even wake up despite the direction from this Hon'ble Court for making the coordinating effort and still sleeping at the dock.

G. Because in the similar situation despite assurance vide communication dated 14.9.2013 from the Ministry of Drinking Water and Sanitation, Union of

India, the State Government did not avail Rs. 469.32 Crore under the National Rural Drinking Water Programme (NRDWP) for emergency relief and rehabilitation of the riot affected victims and the stranded persons.

- H. Because all the District Magistrates in the riot affected areas failed to identify the beneficiaries of the NFCH guidelines providing assistance for physical care, education and effective rehabilitation of Child victims of communal, caste, ethnic or terrorist violence in which each identified eligible child is entitle to assistance at the rate of Rs. 1000-1500 per month upto the age of 25 years.
- I. Because the State of Uttar Pradesh and Union of India instead of coordinating with each other, passing the bug, in a systematic manner in order to secure and preserve the electoral franchise, and to disillusion the electors for their political gains, by which the miseries of the victims are worsening day by day.
- J. Because the State Government apparently did not seek any assistance from the Union of India and treated the Centre as step mother and acting in

hostility for the relief and rehabilitation of the victims denoting as nothing had happened during the communal violence just to drift away the attention of this Hon'ble Court and an eye wash to the citizens of this country. It is nowhere the situation that the Union of India could not directly provide the assistance of relief and rehabilitation to the riot affected victims as was desired by this Hon'ble Court in true spirit and intent. The petitioner lay hand to various fact finding reports of the independent and reputed journalist, lawyers, students, commissions, human rights activists etc.

K. Because the officials posted in the riot affected areas are continuously forcing to shut down the camps and to dislocate and dither away the clusters though the victims pleaded sense of insecurity and in a way forcing them to extreme vulnerability to fresh incidents of perpetuating violence. The attempt of the officials is to make an eye wash that the peace and prosperity is looming back in the wake of normalcy, which is contrast to the ground reality.

L. Because there is no comprehensive policy and strategy of the state of Uttar Pradesh and Union of India as an emergency plan, short term plan and the long term plan for the displaced persons of the riot affected area and there relief and rehabilitations thereof, and/or any other suitable scheme in such conditions arising thereof.

M. Because the State of Uttar Pradesh has still not made any effort to lift and utilize the food grain stock as guaranteed by the Union of India for the riot affected victims, the State of Uttar Pradesh is acting as a mute spectator. The commodity which had been served in very few camps is limited to less than 10 percent of the actual requirement even of unhygienic and non consumable quality which had created a havoc and hostility in the minds of the victims, which is against the dignity and respect of the human being.

N. Because the State of Uttar Pradesh miserably failed to acknowledge the rights of the victims as guaranteed by the constitution of India and ensured to be protected in the spirit of orders passed by this Hon'ble Court.

- O. Because the State of Uttar Pradesh failed to provide and observe national and/or international standard provisions of the medical health and care to the children, women and elderly persons and the injured. Because of the change of weather the children are more prone to the viral and air born diseases, and there is a hue and cry of the large scale spread of viral disease and infections, the state had not taken action to cope up with such eventuality.
- P. Because the state had caused to diminish and failed to preserve the status of integrity, fraternity, secularism, social structure of the nation and had played mockery with the democratic fabric of the Country.
- Q. Because the ideology as transpired by the various facts finding reports infuse that the polarization of the electoral franchise was the main target of the state and other political parties, the State failed to protect the freedom of right to exercise the electoral franchise and the large scale electors have abandoned their houses, their belongings, moveable and immovable assets with all sorts of personal and

permanent identities and permanently migrated to distinct areas with no further hopes and aspirations of settling back, therefore, their right to exercise the electoral franchise need to be protected.

R. Because the state still failed to provide any specific land denoting as a temporary measure notifying land for the right affected victims as a temporary shelter.

S. Because the state still felt helplessness in arresting the culprits who are freely roaming and continuously committing crime, the notorious elements are being boasted by the local politicians that they would not be arrested and the goons are being protected, which is causing stigma and a sense of insecurity in the minds of the victims, eye witness and the large scale affected victims. The culprits are managing the police administration from getting away from the clutches of law, moreover, the witnesses are being pressurized to depose in the favor of accused to give the affidavits and are being threatened continuously, causing distress in the minds of public at large, that is why the resettlement has become a mockery.

- T. Because the unhygienic condition of the camps is pathetic, the state deliberately avoiding to provide all the basic sanitation to live with minimum dignity and respect.
- U. Because in the absence of the medical and para medical staff there are continuous reports of maternal mortality and infant mortality in various camps.
- V. Because the madarsa's are for imparting general and religious education to the children, specifically in number of madarsa's the children get education upto 8th standard, wherefore, the large number of migrants have occupied and adjusted in the madarsa's, the education of the children in the madarsa are at peril and causing distress and adverse impact in the mind of the young children, those madarsa need to be restored back for imparting basic education, and the migrants need to be immediately relocated to the safer places.
- W. Because there is no provision of the education of the riot affected children, those who were studying in the riot affected areas, the state had not provided

any scheme or framework for the education of such riot affected children.

- X. Because the kerosene hawker and dealers have kept the reserve of the kerosene which was meant for the distribution to the yellow and white card holders, thereby, in a planned manner had utilized and served the kerosene oil for house burning and burning of the villagers of the minority community, the state machinery failed to check such instances of gross violation of the term of the license of the hawkers and dealers, thereby committed large scale crime and colluded with the rioters. The District administration still failed to cancel such licenses of the dealers and hawkers who were in default to the highest magnitude.
- Y. Because the role of print and electronic media was bias, the Hindi daily newspapers such as Amar Ujala and Danik Jagran use their publications for specifying the riots.
- Z. Because the arm license were not cancelled during the riots which were widely used to spread violence and killings neither the illegal weapons were

recovered from the rioters nor any attempt is made for such recoveries.

AA. Because, all the respondent are state within the meaning of Article 12 of the constitution of India and amenable to the Writ jurisdiction of Hon'ble Supreme Court of India under Article 32 of the constitution of India.

BB. Because petitioner state that no other petition is being filed in this Hon'ble Court or any other High Court for the same relief.

PRAYERS

On the basis of the factual situation emerging quite clearly petitioner seeks the following reliefs:

- a) For a writ of mandamus or any other appropriate writ, order or direction constituting a Special Investigating Team of police officers from outside the state of Uttar Pradesh and headed by E.N. Rammohan former Director General, BSF to investigate in respect of the instances of murder, assault, rape, abductions, arson, looting of properties, provocative hate speeches , communal writing in the media and other criminal activity

relating to the riots in and around Muzaffar Nagar, Shamli, Bhagpat, Meerut, Ghaziabad, Saharanpur and other affected areas and to prosecute the offenders in accordance with law.

- b. For an order requesting the Director, Tata Institute of Social Sciences, Mumbai to send a team of investigators to the affected areas of UP to enquire into the conditions of the victims including missing persons and thereafter to make a report regarding the true state of affairs and to suggest a practical and detailed scheme for the rehabilitation of the victims of the riots.
- c. For an order directing reputed organization to depute a group consisting predominantly of women teachers and students to visit the affected districts and interview the women concerned in cases regarding violence against women and to make a report to this Court.
- d. For an order directing the Director AIIMS to constitute a panel of lady doctors to conduct medical examination of the victims of sexual assault.
- e. For an order directing reputed organization to depute a group to visit the affected areas to make an

inventory of the property of the victims which have been damaged or destroyed.

- f. for an order directing the state of UP to forthwith provide women doctors in the camps and elsewhere particularly to care for pregnant women and women with small children.
- g. for an order directing the state of UP to forthwith reopen all the Anganwadi centres and to open additional centres so that the nutrition and education of little children do not suffer.
- h. for an order directing the state of UP to ensure that the education of the children in the riot affected areas returns to normalcy immediately.
- i. For an order directing the state of Uttar Pradesh to forthwith attend to all the grievances regarding conditions in the camps, non registration of FIRs, missing persons, food, medical attention, proper sanitation, adequate tents, drinking water and water supply, blankets, clothes and other requirements as set out in the petition.

- j. For an order directing the Union of India to provide security at all the camps through the Central Security Force with immediate effect.
- k. For an order directing the state of UP to ensure that all police personnel cooperate in a sympathetic manner with all the victims of the riots and register all the FIRs proposed to be filed and thereafter proceed against persons mentioned in the FIRs registered with the police by arresting the said persons.
- l. For an order directing the State of Uttar Pradesh to abolish the provision of home posting the police personnel posted in the vicinity of their homes which lead to mass mobilization of the local administration and non cooperative attitude to victims and colluded with the rioters.
- m. For an order to the State of Uttar Pradesh to fix criminal liability and to initiate departmental proceedings against the police personals found colluded with the rioters and facilitated in the commission of large scale arsoning, looting and murders.

- n. For an order directing the state of UP to pay compensation of Rs. 20 lakhs to the families of each deceased person, Rs. 10 lakhs to the seriously injured and full and proper compensation for loss of property including houses, household articles, vehicles, animals and the like, within one month from today.
- o. For an order directing the State government and the central government to frame a comprehensive policy of the riot victims who cannot settle back to their homes, and to provide them status of the migrants at par with the Kashmir migrants and thither cases, with all such other benefits at par with the victims of the riots.
- p. For an order to the appropriate authority to provide them voter identity cards and such other identities and to provide the electoral franchise in the respective camps or the local area wherever they are temporarily settled as dislocated citizens.
- q. For an order to provide specific land denoting as a temporary measure notifying land for the right affected victims as a temporary shelter as a temporary measure.

- r. For an order or direction to respondent no.2 to formulate a guideline for the print and electronic media in terms of reporting during such kind of riots.
- s. For an order to immediately cancel all the arm license in the riot affected districts further for an order for the recovery of all such illegal weapons which were used to massacre the innocent peoples such as guns, pistols, swords, tirshuls and etc
- t. Pass any such further order or orders as this Hon'ble Court may deem fit and proper in the facts and circumstances of the present case.

AND FOR THIS ACT OF KINDNESS, THE PETITIONERS AS IN DUTY BOUND SHALL EVER BE GRATEFUL.

Jyoti Mendiratte
(Advocate for the Petitions)

Place: New Delhi

Drwan BY : Tariq Adeeb Advocate

Date: 07.10.2013

IN THE SUPREME COURT OF INDIA
Criminal Original Jurisdiction
(UNDER ARTICLE 32 OF THE CONSTITUTION OF INDIA)

Writ Petition (CRL.) O F 2013

In the matter of:

ANHAD ...Petitioner

Versus

State of U.P & Another ...Respondents

PAPER BOOK

FOR INDEX KINDLY SEE INSIDE

Advocate for the Petitioner M/s Jyoti Mendiratta

LISTING PROFORMA

1.	Nature of the matter	Criminal
2.	Name (s) of Petitioner (s)/ Appellant(s)	ANHAD
	Email ID	NA
3.	Name (s) of Respondent (s)	STATE OF U.P & ANOTHER
	Email ID	NA
4.	Number of case	W.P. (Cri.) No. _____ of 2013
5.	Advocate (s) for Petitioner (s)	Ms Jyoti Mendiratta
	Email ID	NA
6.	Advocate(s) for Respondent (s)	NA
	Email ID	NA
7.	Section dealing with the matter	PIL
8.	Date of the impugned Order/Judgment	NA
8A.	Name of Hon'ble Judge :	NA
8B.	In Land Acquisition Matters:-	NA
	i) Notification /Govt. Order No.(u/s 4,6)	NA
	Dated	NA
	issued by Centre/State of	NA
	ii) Exact purpose of acquisition & village involved	NA
8C.	In Civil Matters:-	NA
	i) Suit No., Name of Lower Court	NA
	Date of Judgment	NA
8D.	In Writ Petitions :-	NA
	"Catchword" of other similar matters-	NA
8E.	In case of Motor Vehicle Accident Matters:	NA
	Vehicle No	NA
8F.	In Service Matters	NA

	(i) Relevant service rule, if any	NA
	(ii) G.O./ Circular/Notification, if applicable or in question	NA
8G.	In Labour Industrial Disputes Matters:	NA
	I.D. Reference/Award No., if applicable	NA
9.	Nature of urgency	Brutal Killings of the innocent vilagers of Muzaffarnagar and adjoining districts.
10.	In case it is a Tax matter:	NA
	1. Tax amount involved in the matter	NA
	2. Whether a reference/statement of the case was called for or rejected	NA
	3. Whether similar tax matters of same parties filed earlier (may be for earlier/other Assessment Year)?	NA
	4. Exemption Notification/Circular No	NA
11.	Valuation of the matter	NA
12.	Classification of the matter: (Please fill up the number & name of relevant category with sub category as per the list circulated.)	
	No. of Subject Category with full name	
	No. of sub-category with full name	
13.	Title of the Act involved (Centre/State)	
14.	3. Sub-Classification (indicate Section/Article of the Statute)	
	4. Sub-Section involved	Constitution of India
	5. Title of the Rules involved (Centre/State)	Article. 14 and 21
	6. Sub-classification (indicate Rule/Sub-rule of the Statute)	
15.	Point of law and question of law raised in the case	

	Validity of the impugned order dated	
16.	Whether matter is not to be listed before any Hon'ble Judge?	No
	Mention the name of the Hon'ble Judge	NA
17.	Particulars of identical/similar cases, if any	Mohd. Haroon & Ors.Vs UOI & Anr.
	a) Pending cases	Writ Petition (Crl.) 155 of 2013
	b) Decided cases with citation	NA
17A.	Was S.L.P./Appeal/Writ filed against same impugned Judgment/ Order earlier? If yes, particulars	No
18.	Whether the petition is against interlocutory/final order/decree in the case	
19.	If it is a fresh matter, please state the name of the High Court and the Coram in the Impugned Judgment/ Order	
20.	If the matter was already listed in this Court:	No
	8. When was it listed?	NA
	9. What was the Coram?	NA
	10. What was the direction of the Court	NA
21.	Whether a date has already been fixed either by Court or on being mentioned, for the hearing of matter?	No
	If so, please indicate the date fixed	NA
22.	Is there a caveator? If so, whether a notice has been issued to him?	No
23.	Whether date entered in the Computer?	
24.	If it is criminal matter, please state:	NA
	Whether accused has surrendered	NA

	Nature of Offence, i.e. Convicted under Section with Act :	NA
	Sentenced awarded	NA
	Sentence already undergone by the accused	NA
	(i) FIR/RC/etc Date Registration of FIR etc Name & place of the Police Station	NA
	(ii) Name & place of Trial Court Case No. in Trial Court and Date of Judgment	NA
	(iii) Name and place of 1 st Appellate Court Case No. in 1 st Appellate Court Date of Judgment	NA

New Delhi

Date:

(JYOTI MENDIRATTA)

Advocate for Petitioner

INDEX

S.No.	Particulars	Page No.
1.	Listing Performa	
2.	Synopsis and List of Dates	
3.	Writ Petition with affidavit	
4.	Annexure - P1 True copy of the list of the accused persons as per the FIR's lodged at various police stations dated Nil.	
5.	Annexure - P2 True copy of the partial list of deceased who were killed in the riot dated Nil.	
6.	Annexure - P3 True copy of the TOI report dated: 13.09.2013 where the testimonies of the riot affected children's who recognized the attackers.	
7.	Annexure - P4 True copy of the TOI report dated 14.09.2013 mentioning the reported statement of the doctor who performed autopsies.	
8.	Annexure -P5 True copy of the fact finding report by CPI (M) dated 15.09.2013.	
9.	Annexure -P6 True copy of the Milli Gazette, Newspaper dated 16.09.2013 where the report of meeting between the eminent Muslim delegation and the Prime Minister was published.	
10.	Annexure - P7 True copy of the fact finding report by Centre	

for Policy Analysis dated: 17.09.2013.

11. **Annexure - P8**

True copy of the National Commission for Minorities Report dated: 19.9.2013.

12. **Annexure - P9**

True copy of the photographs of the riot victims and riot affected area dated: Nil

13. **Annexure P10**

True copy of the preliminary Citizens report dated 20.9.13.

14. **Annexure P11**

True copy of the ANHAD report released on dated 24.9.2013.

15. **Annexure P12**

True copy of the fact finding report by Jawaharlal Nehru University Students Union (JNUSU) dated: 29.09.2013.

16. **Annexure P13**

True copy of the report dated 30.09.2013 by National Confederation of Human Rights Organizations.