



Date: December 27, 2019

To

The Hon'ble Chairperson and
Other pious members of the
National Human Rights Commission,
New Delhi

From:

Citizens for Justice & Peace, Mumbai

Ref: Diary No. 189744/CR/2019

In the matter of brutal crackdown on police in Uttar Pradesh causing 20 deaths in the state and creating an atmosphere of terror

Hon'ble Sir,

Further to the two emails sent by CJP's Secretary, Teesta Setalvad, dated December 20 and December 23, please accept this as our official petition against human rights violations still on going in the state of Uttar Pradesh.

We present, hereunder, the events that have unfolded in UP, mainly in districts of Kanpur, Bijnor, Meerut, Sambhal, Muzaffarnagar, Lucknow, Gorakhpur, Varanasi and Rampur:

Destruction of life

Various districts in the state are facing internet shutdown, thus paralysing communication and section 144 has been imposed in the State; Meerut is one district where the landlines and mobile services have also been blocked since December 19

As per reports, 20 people have died in the state due to police action and the number of people injured have not even been ascertained. There are testimonies from the deceased families that claim that many of these people were not even part of the protests and were merely going about doing their daily chores when they were shot at by the police. Earlier, the UP State police had denied that they had fired any bullets at the people but later police at district level, in Bijnor admitted that two young boys were killed in police firing; one of them was a UPSC aspirant.

About 850 persons have been arrested in Uttar Pradesh across the 9 above-mentioned districts and 895 persons have been detained, this includes 21 minors. There are reports that the minors, along with other detainees were also beaten up while in police custody.

Among the 280 people arrested in Lucknow, are many HRDs including Sadaf Jafar who has been beaten up in custody and has thus suffered injuries but she continues to remain in custody till January 3rd, until her bail plea hearing.

In Varanasi, peaceful demonstrators have been booked under Sections 147, 148, 149, 188, 332, 353 and 341 of the IPC which include charges such as violent rioting with deadly weapons to assaulting a public servant. More than 1,000 persons are under house arrest which includes Retired Police officer S.R. Darapuri and Sandeep Pandey, a Magsaysay award winner.

There is also a testimony of a reporter of *The Hindu* [Omar Rashid](#), who was in Lucknow, Uttar Pradesh, to cover the agitation taking place against the CAA and NRC was picked up along with local activist Robin Verma from a *dhaba* outside the Uttar Pradesh BJP office where they were peacefully having a meal. While Robin was repeatedly beaten up, Omar was questioned and verbally abused in police custody and eventually let off.

Destruction of property

A septuagenarian timber trader in [Uttar Pradesh's Muzaffarnagar town](#) has accused policemen of vandalising his house, looting cash of Rs. 5 lakh and jewellery at gunpoint and assaulting him and his family members, *The Telegraph* reported. The alleged incident took place on December 20, hours after Haji Hamid Hasan and his son took part in a protest against the amended citizenship law.

In another incident, around 70-100 men allegedly broke the lock of 74-year-old Anwar Ilahi's home, smashed his car's glass, stole Rs. 3.5 lakhs and destroyed property in his 3-storeyed home; he said not all men were in police uniform.

[According to senior officials](#), 295 people in the districts of Lucknow, Kanpur, Meerut, Muzaffarnagar, Sambhal, Rampur, Bijnor and Bulandshahr have received notices in connection with property damage worth at least Rs 1.9 crore. [Rampur district](#) administration sent notice to 28 people to recover Rs 14 lakh for damage to property.

[Last week](#), around 67 shops in Meenakshi Chowk and Kachchi Sadak localities in Muzaffarnagar city were sealed. There have been media reports of the administration at the government's behest arbitrarily "sealing properties" of those who they believe to have indulged in violence.

The incidents mentioned above are only a summarized version of what is happening on the ground and individual testimonies will surely amplify the gravity of an already grim situation. The State has erred in giving such unbridled powers to the police which has led to extremities such as vandalization of personal property, targeted at a specific community, by the police.

The police force is entrusted with protection of the public against crimes and in this case in UP, they have themselves become the perpetrators of crime, leaving the affected people with no immediate recourse to law except the courts of law.

Such a perturbed law and order situation has been continuing in the state since a week now and it still continues as internet communication remains suspended in mot parts of the state and section 144 of CrPC still imposed in the state.

In a dire situation like this, it is extremely imperative that this Hon'ble Commission takes urgent notice and issues appropriate directions to the concerned authorities and ensure that an independent inquiry brings justice to the thousands of people affected by the extremities of police brutality and state action.



Name, designation and Address of public servant against whom Complaint is being made:

DGP, Uttar Pradesh Police

Relief sought

1. We, at Citizens of Justice and Peace earnestly urge this Hon'ble Commission to take suo motu cognisance of this case under the Protection of Human Rights Act (PHRA).
2. As a civil rights group committed to the rule of law and equality before the law as enshrined in the Indian Constitution, we urge this Hon'ble Commission to, in exercise of its powers and functions: "(a) inquire, suo motu or on a petition presented to it by a victim or any person on his behalf [or on a direction or order of any court], into complaint of (i) violation of human rights or abetment thereof; or (ii) negligence in the prevention of such violation, by a public servant;"
3. We seek an independent inquiry to be instituted by this Hon'ble Commission to ensure that a fair inquiry is made into the matter, while taking into account individual testimonies of affected people
4. We urge this Hon'ble Commission to issue guidelines to State police Departments for controlling peaceful protestors and to ensure they do not indulge in human rights violations in controlling such situations
5. Any other relief that this Hon'ble Commission may deem to be necessary and prudent so as to ensure that such brutal police action is not repeated in the state or any other part of the country.

Yours Sincerely,

Anil Dharker, President

Teesta Setalvad, Secretary

Citizens for Justice and Peace