



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. 189748/CR/2019

In the matter of police brutality in the protest march from Delhi ITO to Daryaganj and detention of minors in custody

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 in Daryaganj, Delhi.

We present the accounts of

[The Telegraph](#) re-told an account of a person who witnessed the brutality, "I saw a middle-aged man in a skullcap drop to his knees and beg for mercy but the police kept raining batons on him. Blood trickled from the side of his mouth and his right hand. That was the most horrifying moment." Reportedly, the beatings began after a group of marchers were stopped at Delhi Gate. Some miscreants started pelting stones and torched a vehicles which prompted police action. Video footage on social media appears to show policemen charging at people with batons and beating them without any provocation.

Arshad Alam, a resident, said: "The police not only targeted peaceful protesters but also local people trapped in the crowd. After the beatings, they picked up several people, including minors, at random and took them to the Daryaganj and Jama Masjid police stations."

The cops even used communal slurs at the protestors and threatened them that they would be taught a lesson they would never forget.

40 people were detained which included 8 minors who were released only being detained overnight. Lawyers were allowed to meet the detainees only after they managed to get an order from the District Magistrate to that regard.

15 people were arrested by Delhi police in connection with the violent turn taken by the protests. They were booked under various sections of the Indian Penal Code, including sections

147 and 148 for rioting, section 149 for unlawful assembly, section 186 for obstructing a public servant in the discharge of public functions, section 353 for using criminal force to deter a public servant, section 323 for voluntarily causing hurt and section 436 for mischief by fire or an explosive substance with an intent to destroy.

Protestors were brutally attacked by the police causing injuries to [dozens](#). Doctors were initially denied entry inside Daryaganj Police Station and when finally 2 doctors were allowed, after much persuasion, they were not allowed to give any medicines to the detained and could treat external injuries of those detained.

At Seemapuri police station too, the scene was not very different. The police laid out detainees on a bench and beat them with lathis while abusing them, demanding to know who was involved in stone-pelting. The adults detained at Seemapuri were charged with Article 307 of the IPC – Attempt to Murder.

The filing of cases against people seems random, denial of access to lawyers shows the apathy of the police for following the law as also reflects their ill-intention. The fact that minors were detained by the police in the first place is abhorrent and a ‘flagrant violation of law’ as was also observed by the District magistrate when he directed the police to allow lawyers to meet the detainees. The police did not release the minors immediately after receiving the DM’s directions, another abrogation of rights. No law gives the police the authority to detain a minor in police custody and the Delhi Police went ahead and detained minors anyway in complete disregard of the law of the land. Once again Delhi police resorted to disproportionate use of force on unarmed protestors, another violation of human rights.

We urge this Commission to take stern action against such brute force inflicted on protestors by Delhi police and do everything it can in its power to set an example for police to deal with protestors without violating their basic human rights.

Name, designation and Address of public servant

against whom Complaint is being made:

Delhi Police Commissioner

SHO, Daryaganj PS

SHO, Seemapuri PS

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 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