

IN THE SUPREME COURT OF INDIA

CIVIL ORIGINAL WRIT JURISDICTION

WRIT PETITION

(Under Article 32 of the Constitution of India)

WRIT PETITION (C) NO. OF 2021

[PUBLIC INTEREST LITIGATION]

IN THE MATTER OF:

INDIC COLLECTIVE TRUST ... PETITIONER

VERSUS

UNION OF INDIA & ORS. ... RESPONDENTS

WITH

I.A. of 2021

Application for Exemption from Filing Notarized Affidavit

PAPER BOOK

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ADVOCATE FOR THE PETITIONER: **SUVIDUTT M.S.**

FILED ON: **04.05.2021**

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PROFORMA FOR FIRST LISTINGSECTION: **PIL****The case pertains to** (Please tick/check the correct box):

- Central Act : Constitution of India
- Section : Section 21
- Central Rule : N/A
- Rule No(s) : N/A
- State Act : N/A
- Section : N/A
- State Rule : N/A
- Rule No(s) : N/A
- Impugned Interim Order : (Date) N/A
- Impugned Final Order/Judgment: N/A
- High Court : N/A
- Name of Judges : N/A
- Tribunal/Authority : (Name) N/A
1. Nature of Matter : CIVIL CRIMINAL
- 2.(a) Petitioner/Appellant No.1 : India Collective Trust
- (b) e-mail ID : N/A
- (c) Mobile Phone Number : N/A
- 3.(a) Respondent No.1 : Union of India
- (b) e-mail ID : N/A
- (c) Mobile Phone Number : N/A
- 4.(a) Main category classification : 08
- (b) Sub-classification : 0812
5. Not to be listed before : N/A
6. a) Similar disposed off matter with citation, : No similar matter disposed
if any, & case details off
- b) Similar pending matters with case details : No similar matter pending

7. **CRIMINAL MATTERS** : N/A
(a) Whether accused/convict has surrendered? : Yes No
(b) FIR No. : N/A
(c) Police Station : N/A
(d) Sentence Undergone : N/A
8. **LAND ACQUISITION MATTERS** : N/A
(a) Date of Section 4 Notification : N/A
(b) Date of Section 6 Notification : N/A
(c) Date of Section 17 Notification : N/A
9. **TAX MATTERS** : N/A
10. **SPECIAL CATEGORY** : N/A

(First Petitioner/ Appellant only)

- Senior Citizen > 65 Years
 SC/ST
 Woman/Child
 Disabled
 Legal Aid Case
 In Custody

11. Vehicle number (in case of Motor Accident Claim matters) : N/A

Date: 04.05.2021



SUVIDUTT M.S.

AOR for Petitioner (s)/ Appellant (s)

AOR Code: **2401**

Email: suvidutt@yahoo.com

Mob: 9999778751

SYNOPSIS

1. The present Writ Petition in the nature of Public Interest Litigation under Article 32 of the Constitution is being filed by the Petitioner herein which is a group of concerned citizens dedicated to the protection of civil liberties of the people of the country. The Petitioner is seeking urgent reliefs in relation to the State of West Bengal in view of the widespread violence and disruption of law and order that has erupted in the aftermath of the assembly election, and the failure of the State machinery in protecting the life and liberty of its citizens.
2. The election related violence in the State began after the declaration of election results on May 2, 2021. Members and supporters of the opposing political parties have been brutally murdered, with their houses and personal property being destroyed. There have been instances of heinous crimes including bombing of localities, murders, violations against the modesty of women, riotous looting, kidnapping, arson and destruction of public property.
3. Reports have emerged citing instances of gang rape and physical assault against women who support the opposing parties in the

State. Thanks to the deliberate inaction of the State Government, miscreants have turned the State into a complete lawless zone, which demonstrates this was an organized and pre-meditated crime against a targeted group of people who exercised their political choice against the ruling party.

4. The current state of affairs in West Bengal is so dangerous and wrought with internal disturbance that urgent intervention by this Hon'ble Court and deployment of central forces in the State is the need of the hour.
5. The State administration and the police authorities in the State have failed and/or neglected to clamp down on the unruly elements, thereby leading to institutionalized violence and destruction of the democratic fabric of the State. Since the State administration has failed to restore peace and maintain law and order in the aftermath of the elections despite several pleas and numerous news reports, it is imperative that this Hon'ble Court grants the Petitioner urgent reliefs as prayed for in this instant Petition.
6. Hence, this Writ Petition.

CHRONOLOGY OF DATES

| DATES | EVENTS |
|--------------|---|
| 26.02.2021 | General election to the Legislative Assembly of West Bengal schedule were announced on 26.02.2021. |
| 27.03.2021 – | General election to the Legislative Assembly of West Bengal for 292 constituencies of the 294 constituencies in West Bengal were held between 27.03.2021 to 29.04.2021 in 8 phases. |
| 29.04.2021 | |
| 02.05.2021 | Election results were declared. |
| 03.05.2021 | Violence erupted across the state of West Bengal. Several newspapers online as well as print report the incidents. |
| 04.05.2021 | Hence, this Writ Petition. |

IN THE SUPREME COURT OF INDIA

CIVIL ORIGINAL WRIT JURISDICTION

WRIT PETITION

(Under Article 32 of the Constitution of India)

Writ Petition (C) No. of 2020

[PUBLIC INTEREST LITIGATION]

IN THE MATTER OF:

1. Indic Collective Trust,

Through its Authorized Signatory,

5E, Bharat Ganga Apartments,

Mahalakshmi Nagar,

4th Cross Street, Adambakkam,

Chennai – 600 088,

Tamil Nadu

Ph No.: 7811963790

Email: aiyangar.aravindalochanan@gmail.com

Aadhaar No: Nil

PAN No: AABTI4756Q

Passport No: Nil

Occupation: Nil

Annual Income: Nil

... Petitioner No.1

VERSUS

1. Union of India,
Through its Chief Secretary,
Ministry of Home Affairs,
North Block, New Delhi – 110 001
Delhi ... Respondent No.1

2. State of West Bengal
Represented through its Secretary,
Department of Home and Hill Affairs
Nabanna, 325, Sarat Chatterjee Road,
Shibpur, Mandirtalla,
Howrah- 711 102
West Bengal ...Respondent No. 2

3. The Governor of West Bengal
Raj Bhawan, 21/C, Old Court House Street,
Dalhousie, Marx Engels Beethi Road,
B.B.D. Bagh, Kolkata – 700 062
West Bengal ...Respondent No. 3

4. Election Commission of India
Represented through Chief Election
Commissioner,
Nirvachan Sadan, Ashoka Road,

New Delhi- 110 001

Delhi

...Respondent No. 4

(All are contesting Respondents)

**WRIT PETITION UNDER ARTICLE 32 OF THE
CONSTITUTION OF INDIA FOR SEEKING APPROPRIATE
WRIT/ ORDER OR DIRECTION IN THE NATURE OF A WRIT
OF MANDAMUS DIRECTING RESPONDENTS TO DEPLOY
CENTRAL PROTECTION FORCES TO RESTORE LAW AND
ORDER IN THE STATE OF WEST BENGAL**

TO

THE HON'BLE CHIEF JUSTICE OF INDIA

AND HIS COMPANION JUSTICES OF

THE HON'BLE SUPREME COURT OF INDIA

THE HUMBLE PETITION OF THE

PETITIONER ABOVE NAMED

MOST RESPECTFULLY SHOWETH:

1. The Petitioner herein is filing the present Writ Petition under Article 32 of the Constitution of India for issuance of a Writ, order or direction in the nature of Mandamus or any other appropriate Writ or order or direction (s) to the respondents herein to:
 - 1.1 Issue direction to the Respondent No. 1 to deploy central protection forces, including armed forces, for the restoration of law and order in the State of West Bengal;

- 1.2 Constitute a Special Investigative Team headed by a retired Hon'ble Justice of this Hon'ble Court to look into the politically-motivated targeted pogrom in West Bengal;
- 1.3 Issue directions for immediate arrest of and prosecution against all individuals involved and/or responsible for the commission of heinous offences in the aftermath of the West Bengal assembly elections;
- 1.4 Issue directions for setting up and/or establishing a special court to adjudicate and dispose of matters pertaining to the prosecution of any individual or organization involved in the commission of heinous offences;
- 1.5 Declare that the Constitutional machinery has broken down in the State of West Bengal within the meaning of Article 356 of the Constitution in order for His Excellency the President to take appropriate action under the said Article.

It is submitted that the reliefs are imperative in order to protect the life and property of the people of West under Article 21 of the Constitution of India which is being brazenly violated in pursuance of political vendetta by members and supporters of the All India Trinamool Congress.

2. The Petitioner herein is a registered Trust under the Indian Trusts Act, 1882 with its registered office at 5E, Bharat Ganga Apartments, Mahalakshmi Nagar, 4th Cross Street, Adambakkam,

Chennai – 600 088. The Petitioner herein is a collective of activists, intellectuals and civil liberties campaigners who are committed to the advocacy of Indic civil liberties through Constitutional and democratic means.

3. The Petitioner herein have locus standi to file the instant Writ Petition as concerned citizens who enjoy significant goodwill in several States of the country, including the State of West Bengal, for their work in the civil liberties space. Hence, the Petitioners herein have locus standi to file the instant Writ Petition before this Hon'ble Court under Article 32 of the Constitution for direction to the Respondents herein. Further, given the prevailing atmosphere of fear in West Bengal, it is unrealistic to expect citizens from the State to approach either the High Court of the State or the Supreme Court for the real and legitimate fear of being identified and persecuted or worse.

4. Further, the Petitioner herein declares as below:

4.1 The nature of injury being caused and is likely to be caused on a wider scale to the public is that a large number of people are being murdered, looted and properties are being vandalised due to the inaction on the part of the Respondent No. 2 to maintain the law and-order situation in the state of West Bengal.

- 4.2 That the Petitioner herein has not filed any other Petition on the same subject matter or seeking similar reliefs either in this Hon'ble Court or before any High Courts except this present petition.
- 4.3 That the Petitioner herein has no personal interest or gain, private motive or oblique reason or motive in filing the instant petition but only seeks the intervention of this Hon'ble Court to issue direction, among other things, to the Respondent No. 1 to deploy central protection forces, including armed forces, for the restoration of law and order in the State of West Bengal.
- 4.4 That the Petitioner herein is not been involved in any other civil or criminal or revenue litigation which could have any legal nexus with the issues involved in the present writ petition in public interest.
- 4.5 The Petitioner herein has not approached any court or authority before preferring this Writ Petition.
5. The Respondent No.1 herein is the Central Government and is responsible under Article 355 for protecting every State against internal disturbance to ensure that the Government of every State is carried on in accordance with the provision of the Constitution of India.

6. The Respondent No.2 herein is the Department of Home and Hill Affairs of the State of West Bengal, responsible for maintaining law and order in the State and directly supervises, monitors and controls the West Bengal Police forces.
7. The Respondent No. 3 is the Governor of West Bengal. The Governor being the executive head of the State is responsible for preserving, protecting and defending the Constitution and the law in the administration of State affairs.
8. The Respondent No. 4 is the Election Commission of India, a constitutional body responsible for conducting free and fair elections across the country and also for maintaining law and order during the election period.
9. As such, the above-mentioned authorities in Para 4 to Para 8, by virtue of discharging statutory duties towards the public are 'State' within the meaning of Article 12 of the Constitution of India. Hence, the Respondents are amenable to the writ jurisdiction of this Hon'ble Court.
10. **FACTUAL MATRIX OF THE CASE:**
 - 10.1 The instant petition is being moved on an urgent basis in light of the political pogrom and institutionalized violence that has been raging in the State of West Bengal in the aftermath of the election results. The scale and the pace of

the pogrom is unimaginable and alarming thereby warranting the immediate intervention of this Hon'ble Court.

10.2 General election to the Legislative Assembly of West Bengal schedule was announced on 26.02.2021. General election to the Legislative Assembly of West Bengal for 292 constituencies of the 294 constituencies in West Bengal was held between 27.03.2021 to 29.04.2021 in 8 phases. Election results were declared on 03.05.2021.

10.3 It has come to the attention of the Petitioner based on credible news reports that since the declaration of the election result in West Bengal on 02.05.2021, several miscreants and violent elements belonging to the victorious political party have wreaked havoc and have created a state of unrest by committing heinous offences of, *inter alia*, bombing, murder, gang rape, outraging of modesty of women, arson, kidnapping, loot, vandalism and destruction of public property.

10.4 The Petitioner has come across several disturbing news reports and articles which show that such heinous offences are specifically targeted towards members and supporters of the political parties that opposed the ruling party in the State election. It has been categorically reported that till May 3, 2021 more than ten political activists were killed and

numerous more were beaten up and/or injured. These instances have instilled unimaginable fear in the minds of the citizens who will now be apprehensive of exercising their fundamental right to free speech and expression against the ruling party. Such fear would lead to the death of democracy.

10.5 These instances have not only been reported in national and local news agencies, but also by reputed international reporting agencies. True copy of the news report published in News18 dated 03.05.2021 is produced herewith and marked as **ANNEXURE P1 (Pages 26 – 30)**

10.6 True copy of the news report published in India Today dated 03.05.2021 is produced herewith and marked as **ANNEXURE P2 (Pages 31 – 33)**

10.7 True copy of the news report published in Republic World dated 03.05.2021 is produced herewith and marked as **ANNEXURE P3 (Pages 34 – 35)**

10.8 True copy of the news report published in Anandabazar dated 03.05.2021 is produced herewith and marked as **ANNEXURE P4 (Pages 36 – 37)**

10.9 True copy of the news report published in Anandabazar dated 03.05.2021 is produced herewith and marked as **ANNEXURE P5 (Pages 38 – 39)**

10.10 True copy of the news report published in India Times dated 03.05.2021 is produced herewith and marked as **ANNEXURE P6 (Pages 40 – 41)**

10.11 True copy of the news report published in India TV News dated 03.05.2021 is produced herewith and marked as **ANNEXURE P7 (Pages 42 – 44)**

10.12 True copy of the news report published in ABP Live dated 04.05.2021 is produced herewith and marked as **ANNEXURE P8 (Pages 45 – 47)**

10.13 True copy of the news report published in AlJazeera dated 04.05.2021 is produced herewith and marked as **ANNEXURE P9 (Pages 48 – 50)**

10.14 True copy of the news report published in Anandabazar dated 04.05.2021 is produced herewith and marked as **ANNEXURE P10 (Pages 51 – 52)**

10.15 The Petitioner has further come to learn from various social media websites about such violence and political pogrom through videos and live reporting of these incidents posted by hapless citizens. The nature of the videos and content doing the rounds across the various social media platforms is so gory and gruesome that the collective conscience of the citizens has been shaken. Homes and shops of ordinary civilians have been mercilessly destroyed and razed to the

ground by miscreants and goons. Some of these videos show offices and/ or headquarters belonging to the opposing parties being vandalized, ransacked and set on fire by the local goons who support the ruling party. The videos further show that members and workers of these offices, including women, were publicly shamed and brutally beaten to death. Several eminent journalists and/ or political activists have drawn the attention of the administration including that of the Central and State authorities to urgently deal with the situation at hand. True copy of the plethora of tweets are produced herewith and marked as **ANNEXURE P11 (Pages 53 – 75)**

10.16 Being alarmed by the present situation of utter lawlessness and mayhem in West Bengal, the Respondent No.3 herein took to Twitter to note the killing of nine persons and injury of many others in the aftermath of the election results. The Respondent No.3 herein further tweeted that he had summoned the Additional Chief Secretary (ACS), the Director General of Police (DGP) and the Commissioner of Police for Kolkata (CP) and called upon them to submit reports on the law-and-order situation urgently. However, such reports were not submitted to the Respondent No.3 herein. The Respondent No.3 herein further tweeted that the

DGP and the CP had sent their reports to the ACS. However, despite receiving such reports, the ACS had not forwarded the same to the Respondent No.3 herein. True copy of series of tweets posted by the Respondent No.3 herein is produced herewith and marked as **ANNEXURE P12 (Page 76)**

10.17 The social media posts and tweets by several eminent personalities showcase that there has been a grave disruption of law and order in the State of West Bengal. Such tweets and/ or posts and/ or videos evidently reveal the current state of affairs in West Bengal and should be treated as evidence. Reliance can be placed upon the decision of this Hon'ble Court in the case of In Re "*Distribution of Essential Supplies and Services During Pandemic*" [Suo Motu Writ Petition (Civil) No. 3 of 2021 decided on 30.04.2021] wherein this Hon'ble Court categorically noted the key role that internet and technology have played in our lives during the course of the pandemic. This Hon'ble Court further clarified that people can use social media to amplify and air their grievances, seek and/ or offer help. Similarly, in the present circumstances pertaining to the violence in West Bengal, several eminent personalities and/or affected citizens have resorted to social media with a desperate cry for help seeking protection of their lives and fundamental

rights that have been guaranteed by the Constitution of India.

10.18 Despite tremendous hue and cry across various social media platforms and widespread media coverage, and despite clear directions of the Respondent No.3 herein, the State Police authorities, i.e., the DGP and CP have failed and/ or neglected to carry out their duties to protect the fundamental rights of the citizens.

10.19 The Respondent No.2 herein, being in charge of the State Police authorities, has also failed and/ or neglected its duties to either pass any directions to the state police authorities or to take any other measures to maintain law and order in the State of West Bengal. As such, the actions of the Respondent No.2 herein have been instrumental in failing to uphold the principles of democracy. Owing to the collective negligence and/ or indifference of the State machinery to control the aggressive rampage in West Bengal, the people of West Bengal are left with no other option but to knock the doors of this Hon'ble Court.

10.20 The Petitioner herein states that no person, in a country which prides itself as the world's largest democracy, should have to pay the price for their political choices and/ or affiliations. Such targeted pogrom and/ or persecution

defeats the basic tenets of democracy and the rights conferred upon the citizens by the Constitution of India. The Petitioner herein states that when citizens are persecuted on the basis of their political affiliation, it leads to the death of democracy and the birth of fascism.

10.21 The Respondent No. 4 herein has failed to ensure peaceful conditions in the post-poll environment of West Bengal when the Hon'ble Chief Minister is yet to take oath of office. Further, considering that the assembly elections are yet to be concluded in two constituencies, the Respondent No.4 herein has a constitutional duty to maintain law and order in the society as well as ensure people's safety.

10.22 The Petitioner herein states that the Respondents have failed to protect the fundamental rights of the citizens and to maintain law and order in the State of West Bengal. As such, the Petitioner herein prays for directions under Article 355 of the Constitution of India. When the State machinery has evidently failed to maintain internal peace and order, it is the constitutional duty of the Respondent No.1 herein to take stock of the situation at the earliest and take alleviating measures to address the situation.

10.23 Reliance can be placed on the decision of this Hon'ble Court in *S.R. Bommai v. Union of India* (1994) 3 SCC 1 wherein this Hon'ble Court held as follows:

"Article 355 imposes a duty on the Union to protect the States against external aggression and internal disturbance and to ensure that the Government of every State is carried on in accordance with the provisions of the Constitution. As corollary when the Government of the State is not being carried on in accordance with the provisions of the Constitution, a constitutional duty and responsibility is put on the Union to set it right. The foundational factual matrix is the report of the Governor or other information in possession of the Union received otherwise to reach a satisfaction that a situation has arisen for the intervention by the Union of India."

In the instant scenario, the Respondents herein have failed to ensure protection of the fundamental rights of the citizens under Articles 19 and 21 of the Constitution of India, thereby allowing the internal disturbance to grow in West Bengal.

10.24 Since lawlessness in West Bengal has erupted as a systematically and is clearly related to the outcome of the elections which is evident from the conduct of the TMC cadre, the State machinery cannot be trusted anymore to act impartially in the interest of the people. As such, there is an urgent need for intervention by this Hon'ble Court and for deployment of the Central forces in West Bengal until the targeted violence is put an end to and the guilty are prosecuted.

10.25 The pogrom of hate spreading across West Bengal is not a spontaneous occurrence, and has been planned and orchestrated in a pre-meditated manner. The pogrom, that is characterized by widespread loss of life and property of a select group of people, has instilled massive fear in the hearts and minds of people and the affected litigants may be apprehensive about approaching the Hon'ble High Court at Calcutta to address their grievances when the present circumstances in the State are so hostile to them.

10.26 The situation in West Bengal is not a law-and-order situation alone, but is a systematic post-poll violence. As a result, it is important and imperative that the role of the ruling party officials and its cadre is duly investigated for their connivance. The role of such elements should be looked into

by an SIT constituted by this Hon'ble Court. The supervision of this Hon'ble Court into the working of such a Team and the situation in West Bengal is absolutely necessary so that the life and liberty of the citizens are duly protected.

10.27 The Petitioner herein states that there has been grave violation of the fundamental right to freedom of expression together with the fundamental right to life and liberty as enshrined under Articles 19 and 21 of the Constitution of India. The power to issue prerogative writs under Article 32 of the Constitution of India is plenary in nature and is not limited by any other provision of the Constitution. This Hon'ble Court has time and again held that alternate remedy is not to operate as a bar in the contingency where a writ petition has been filed for the enforcement of any fundamental right.

10.28 The Petitioner herein relies upon the decision in *State of West Bengal and Others v. Committee for Protection of Democratic Rights, West Bengal and Others*, (2010) 3 SCC 571 wherein this Hon'ble Court held that:

"Article 32 of the Constitution being a fundamental right itself, it is the duty of this Hon'ble Court to ensure that no fundamental right is contravened or abridged by any

statutory or constitutional provision. The fundamental rights are inherent and cannot be extinguished by any constitutional or statutory provision.”

This Hon'ble Court further held that the expression 'in the nature of' employed in Article 32(2) that the power conferred by it is in the widest terms and is not confined to issuing high prerogative writs but includes within its ambit the power to issue any directions or orders for the enforcement of fundamental rights. This Hon'ble Court further held that the Court is not helpless to grant relief in case of a violation of right to life and personal liberty even when the conditions for issue of any of these writs are not fulfilled.

10.29 The Petitioner herein states that the Respondent authorities have failed and/ or neglected to protect the fundamental rights of the citizens.

10.30 The Petitioner herein states that the Respondent No.2 herein has been complacent in the face of organized crime which has encouraged miscreants to indulge in and commit heinous crimes against targeted groups without any regard for law and authority.

10.31 The Petitioner herein states that the Respondent No.1 herein has failed to perform its duties under Article 355 of the Constitution of India to protect the State against internal disturbance and to ensure that the Government of the State is carried on in accordance with the provisions of the Constitution of India.

10.32 The Petitioner herein states that the Respondent No.1 herein has failed in its constitutional duty and responsibility to intervene when the Government of the State is not being carried on in accordance with the provisions of the Constitution.

10.33 The Petitioner herein states that the Respondent No.4 herein has failed to ensure law and order during the post-poll environment in West Bengal.

10.34 The Petitioner states that the situation in West Bengal has become so volatile and politically charged, with severe consequences against the lives and liberty of individuals, that intervention by this Hon'ble Court is urgently needed.

10.35 The Petitioner states that due to the complacency and indifference of the ruling party and of the Respondent No.2 herein, lives of ten political activists have been lost and many more have been injured.

10.36 The Petitioner herein states that due to the complacency and indifference of the Respondent authorities, there has been grave violation of the fundamental rights of the citizens of West Bengal.

10.37 The cause of action arose in favour of the Petitioner when post-poll disruption of law and order began in the State of West Bengal. When the State executive is disinclined to take active steps to control organized crime against a targeted group of citizens on the basis of their political choice, the democratic setup of the State is destroyed. Therefore, the cause of action shall continue every day until the law-and-order situation is restored.

10.38 Hence, the present Writ Petition before this Hon'ble Court.

11. That in the circumstances mentioned herein above, this Writ Petition is being preferred by the Petitioner *inter alia* on the following among other grounds:

GROUND

11.1 FOR THAT the Respondent authorities have failed and/ or neglected to protect the fundamental rights of the citizens.

11.2 FOR THAT the Respondent No.2 herein has been complacent in the face of organized crime which has encouraged

miscreants to indulge in and commit heinous crimes against targeted groups without any regard for law and authority.

11.3 FOR THAT the Respondent No.1 herein has failed to perform its duties under Article 355 of the Constitution of India to protect the State against internal disturbance and to ensure that the Government of the State is carried on in accordance with the provisions of the Constitution of India.

11.4 FOR THAT the Petitioner herein states that the Respondent No.1 herein has failed in its constitutional duty and responsibility to intervene when the Government of the State is not being carried on in accordance with the provisions of the Constitution.

11.5 FOR THAT the Petitioner states that the Respondent No. 4 has failed to ensure law and order during the post-poll environment in West Bengal.

11.6 FOR THAT the Petitioner states that the situation in West Bengal has become so volatile and politically charged, with severe consequences against the lives and liberty of individuals, that intervention by this Hon'ble Court is urgently needed.

11.7 FOR THAT the Petitioner states that due to the complacency and indifference of the ruling party and of the Respondent

No. 2, lives of ten political activists have been lost and many more have been injured.

11.8 FOR THAT the Petitioner states that due to the complacency and indifference of the Respondent authorities, there has been grave violation of the fundamental rights of the citizens of West Bengal.

11.9 Any other ground that may be raised with the permission of this Hon'ble Court.

12. **PRAYER**

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

12.1 Issue direction to the Respondent No. 1 to deploy central protection forces, including armed forces, for the restoration of law and order in the State of West Bengal;

12.2 Constitute a Special Investigation Team headed by a retired Hon'ble Justice of this Hon'ble Court to look into involvement of politicians, if any, in the targeted pogrom in West Bengal;

12.3 Issue directions for immediate arrest of and prosecution against all individuals involved and/or responsible for the commission of heinous offences in the aftermath of the assembly elections;

- 12.4 Issue directions for setting up and/or establishing a special court to adjudicate and dispose of matters pertaining to the prosecution of political miscreants and/or any individuals involved in the commission of heinous offences;
- 12.5 Declare that the Constitutional machinery in the State of West Bengal has broken down within the meaning of Article 356 for further consideration by His Excellency the Hon'ble President of India;
- 12.6 Pass such other Order (s) in favor of the Petitioners herein, as this Hon'ble Court may deem fit and proper in the interest of Justice.

AND FOR THIS ACT OF KINDNESS PETITIONERS, AS IN DUTY BOUND, SHALL EVER PRAY.

SETTLED BY

DRAWN & FILED BY



J. SAI DEEPAK

SUVIDUTT M.S.

ADVOCATE FOR PETITIONER

DRAWN ON: 04.05.2021

FILED ON: 04.05.2021

NEW DELHI

IN THE SUPREME COURT OF INDIA

CIVIL ORIGINAL JURISDICTION

WRIT PETITION (C) NO. OF 2021

IN THE MATTER OF:-

INDIC COLLECTIVE TRUST ... PETITIONER

VERSUS

UNION OF INDIA & ORS. ... RESPONDENTS

AFFIDAVIT

I, Aravindalochanan G., S/O Govindan R.K., aged 23 years, resident of 5 E, Bharat Ganga Apartments, Mahalakshmi Nagar, 4th Cross St, Adambakkam, Chennai – 88 is the Managing Trustee of the registered trust named Indic Collective, presently at New Delhi, do hereby on solemn affirmation state as under: -

1. That I am the Managing Trustee of the Petitioner organization in the above-mentioned matter hence fully conversant with the facts of the case, as such competent to swear this affidavit.
2. That the facts stated in the accompanying Writ Petition from Page No. 1 to 23, are true and correct to my knowledge and the statements in List of dates from Page No. B to D and facts furnished along with the W.P. and I.A.s are true to my knowledge and belief.
3. That the Annexures from P 1 to P 12 filed with the W.P. are true copies of their respective originals.
4. That Petitioner organization don't have any personal gain, private motive or oblique reason in filing the Public Interest Litigation.

DEPONENT

VERIFICATION

Verified at New Delhi on this day 4th of May, 2021 that the contents of the paragraphs of my above affidavit are true and correct to my knowledge and belief, no part of it is false nor has any material fact been concealed therefrom.

DEPONENT

APPENDIX

CONSTITUTION OF INDIA

Article 21

21. Protection of life and personal liberty: No person shall be deprived of his life or personal liberty except according to procedure established by law.

Many Claimed Dead in Post-poll Violence in Bengal, Centre, Guv Seek Report; BJP Chief to Visit State

26

18 news18.com/news/politics/many-claimed-dead-in-post-poll-violence-in-bengal-centre-guv-seek-report-mamata-appeals-for-calm-3704477.html

May 3, 2021



File photos of BJP president JP Nadda and West Bengal chief minister Mamata Banerjee. (PTI)

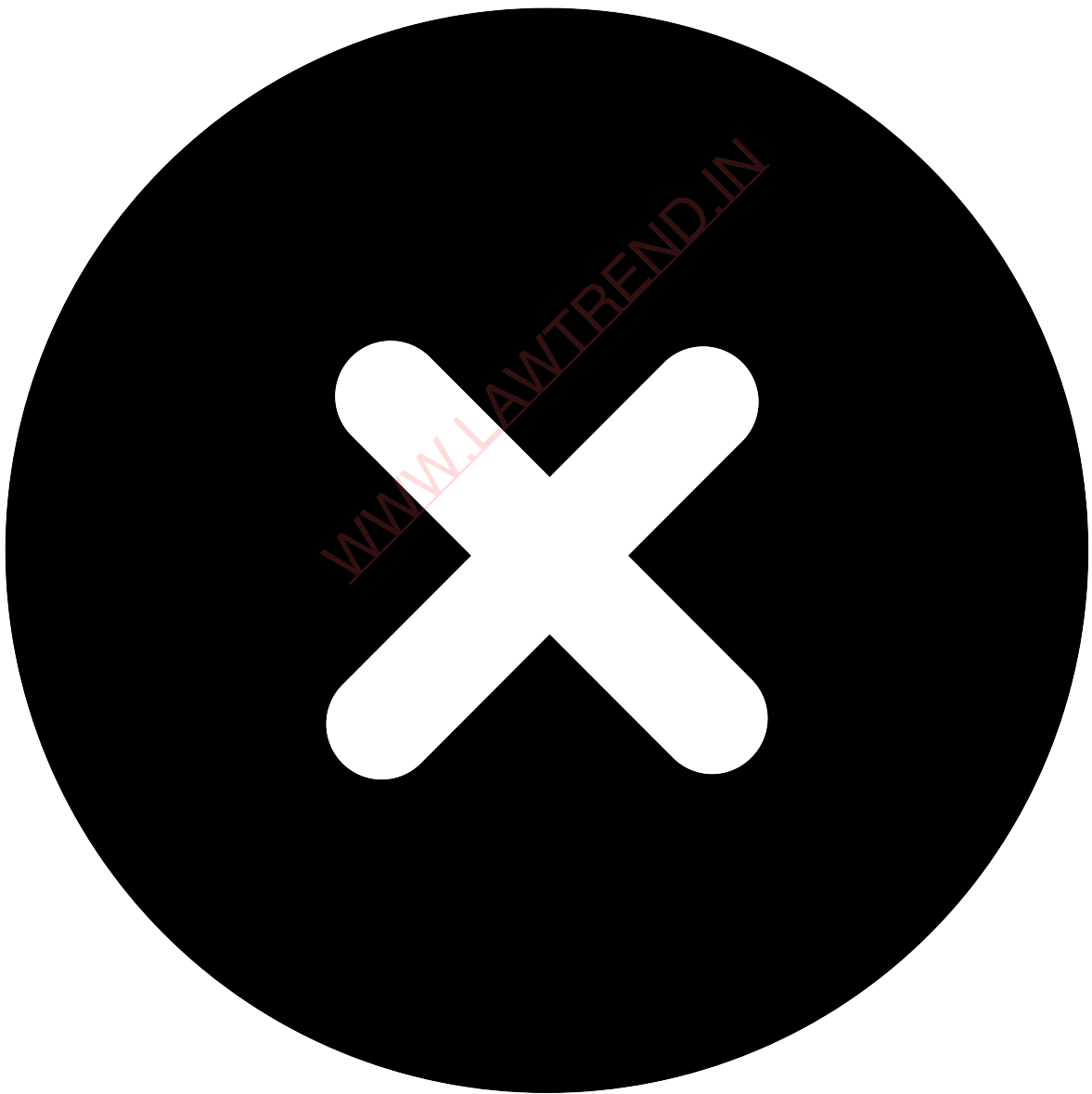
BJP claimed at least six of its workers and supporters including a woman was killed in attacks the party blamed on the TMC.

West Bengal was in the throes of widespread violence on Monday that allegedly left several BJP workers dead and injured in clashes, and shops being looted, prompting the Union Home Ministry to seek a factual report from the state government on incidents of attack on opposition workers. Videos of arson at a BJP office with bamboo poles and roof tiles burning amid worried cries of people running away from the premises were shared by the party. Photos of dead men, and people scampering with apparel looted from a shop were everywhere on social media.

BJP claimed at least six of its workers and supporters including a woman was killed in attacks the party blamed on the TMC. The BJP shared a video with journalists showing a ransacked party office in Nandigram where piles of documents, posters, and broken furniture lay scattered everywhere. Chief Minister Mamata Banerjee had Sunday lost the seat to her former lieutenant-turned-adversary Suwendu Adhikari.



VDO.AI



Governor Jagdeep Dhankhar summoned state Home Secretary, DGP and Kolkata Commissioner of Police and directed them to restore peace. He discussed with them the situation following the incidents that took place a day after the ruling TMC returned to

power with an overwhelming majority crushing the BJP.

28

"ACS Home @HomeBengal who was called by me in wake of rising post poll violence in State has been directed to submit report on post poll violence and vandalism in State & steps taken," Dhankhar tweeted after meeting Home Secretary H K Dwivedi. He also separately met DGP P Nirajayan and Police Commissioner Soumen Mitra and directed them to restore law and order.

"DGP West Bengal Police and Commissioner of Kolkata Police summoned by me in the wake of continually rising post poll incidents of arson, looting and violence as also killings in the state were indicated of alarming scenario. Called upon them to take all steps to restore law and order," he added. "MHA has asked West Bengal Government for a report on the post-election violence targeting opposition political workers in the state," a spokesperson tweeted.

Meanwhile, BJP national president JP Nadda will be in the state on a 2-day visit to meet the affected families of the party workers.

BJP National President Shri @JPNadda will be visiting West Bengal on 4-5May, in view of the wide spread post results retributive violence unleashed on BJP workers and supporters by criminal elements in the TMC cadre.

He will be visiting families of the affected karyakartas.

— BJP (@BJP4India) May 3, 2021

The BJP has also announced a nationwide protest on May 5 against the violence took place in West Bengal.

The BJP has announced a nationwide dharna on 5th May against the widespread violence unleashed by TMC workers post the election results in West Bengal.

This protest will be held following all Covid protocols across all organisational mandals of the BJP.

— BJP (@BJP4India) May 3, 2021

Banerjee, meanwhile, urged her supporters to maintain peace amid reports of violence and asked them not to fall prey to provocations. The central forces committed many atrocities on TMC supporters during the elections, she alleged.

"Even after the results were announced, BJP attacked our supporters in certain areas but we ask our men not to get provoked and instead report to the police," she told a press conference. BJP national spokesman Anil Baluni said, before being killed a BJP worker was on Facebook live twice to say even animals and children were not being spared by the attackers.

He also shared pictures of people with massive cuts on head and unconscious men lying with bandages wrapped around their limbs. A video showed young men running away with clothes looted from a shop named 'Hong Kong Fashion'. The faces of some of them were smeared with green colour, and a voice, apparently of the man shooting it, gleefully said "Yehi hona chahiye tha...hum to mijaz bana rahe the. (This should have happened. I was preparing for it).

Another video clip showed a group of burqa clad women standing outside the shop, shouting angrily and asking "yeh Mamata raj hai ki goonda raj hai (is it the rule of Mamata (Banerjee) or the rule of hooligans?" One of them said her brother ran 'Hong Kong Fashion' and worked for the BJP. "It was his choice, why should anyone stop him? People should be free to be with anyone, vote for anyone-TMC or BJP," she said as some other women joined her and were seen raging against the perpetrators much of which was not comprehensible.

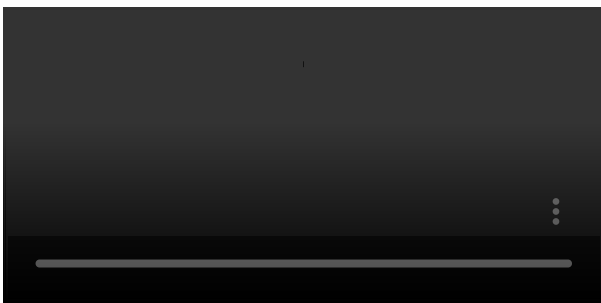
TMC Says Three Party Workers Killed

The Trinamool Congress claimed three of its supporters were killed by the BJP, which rejected the allegations, saying the incidents were the result of "people's resistance".

A few TMC supporters were on the way to Nabagram in the Jamalpur police station area on their motorcycles in the afternoon when they were allegedly attacked in Odishapara by BJP workers, local sources said. They were thrashed and their bikes vandalised, the TMC alleged.

The injured were taken to different hospitals for treatment. Shahjahan Shah (38) and Bibhash Bag (30) were declared dead when taken to the Burdwan Medical College and Hospital. Kakali Khsetrapal (47) was declared dead when taken to the Jamalpur Hospital, local sources said.

The TMC claimed Shahjahan and Bibhash were their supporters. TMC block president Mehmood Khan said, "BJP workers carried out the attack in a planned manner. They are taking to violence in different places."



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Duration 1:19

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Police said 23 people have been detained in connection with the incident and a huge contingent of central forces have been deployed in the area. An officer of Jamalpur police station said the situation was under control.

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Six party workers killed, houses, shops vandalised by TMC, alleges Bengal BJP. MHA seeks report 31

indiatoday.in/elections/west-bengal-assembly-polls-2021/story/six-party-workers-killed-houses-shops-vandalised-by-tmc-alleges-bengal-bjp-mha-seeks-report-1798472-2021-05-03

Abhro Banerjee

May 3, 2021



The Bengal wing of Bharatiya Janata Party claimed that at least six of its workers were killed across the state since Sunday. They also alleged that a few hundred party offices and houses of BJP workers were ransacked across the state as the counting progressed, and the trends became clearer.

Late on Monday, the Ministry of Home Affairs (MHA) asked the West Bengal Government for a report on the post-election violence targeting opposition political workers in the state.

In a video that went viral on Twitter, a gang of men armed with bamboo sticks and rods was seen entering houses in search of BJP workers. Later, a series of pictures and videos which started doing rounds on Twitter, suggested that BJP workers in Bengal were being threatened and attacked.

Bengal Governor Jagdeep Dhankhar on Monday summoned the DGP seeking a report on the uninterrupted violence across the state ever since the poll results were declared

DGP @WBPolice and Commissioner @CPKolkata summoned by me in the wake of continually rising post poll incidents of arson, looting and violence as also killings in the State were indicated of alarming scenario.

Called upon them to take all steps to restore law and order. pic.twitter.com/BcblaimLeO

— Governor West Bengal Jagdeep Dhankhar (@jdhankhar1) [May 3, 2021](#)

Who were 'killed' in violence

- Jagaddal | Shova Rani Mondal
- Ranaghat | Uttam Ghosh
- Beliaghata | Abhijit Sarkar
- Sonarpur Dakshin | Horom Adhikari (Name could not be verified)
- Sitalkuchi | Momik Moitra (Name could not be verified)
- Bolpur | Gourab Sarkar

Violence on result day

The BJP on Sunday alleged that one of its party offices in Hooghly district was set on fire and some of its leaders, including Suvendu Adhikari, were harassed by TMC activists in other parts of the state after the poll results showed that Mamata Banerjee camp was set to retain power in Bengal.

A senior police officer in Hooghly said he is looking into the matter, and the guilty would be punished.

A local BJP leader claimed that TMC activists, shortly after the defeat of their party candidate Sujata Mondal, set fire to the saffron camp's Arambagh office.

Sources in the Mamata Banerjee-led party, however, denied the allegation.

"The TMC, in a bid to avenge the defeat of its candidate, indulged in acts of arson and torched our party office," the local BJP leader said.

In Purba Medinipur district, TMC men reportedly demonstrated next to the vehicle of BJP's Suvendu Adhikari, who managed to clinch the prized Nandigram seat by defeating Chief Minister Mamata Banerjee in a neck-and-neck fight.

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Despicable attempt to create an atmosphere of vengeance and violence in West Bengal!

This evening in Haldia goons from the [@AITCOfficial](#) targeted my car and attempted to attack my vehicle.

If public representatives face such attacks, imagine the fate & plight of the Common Man!
<https://t.co/vxfyFFEY6C>

— Suvendu Adhikari • শুভেন্দু অধিকারী (@SuvenduWB) May 2, 2021

Some demonstrators banged on the windscreen of Adhikari's car and also hurled stones near a counting centre in Haldia, members of the saffron party claimed.

ALSO READ: MHA seeks report from Bengal govt on post-election violence

"He is a traitor. He took to unfair means to change the results," a TMC activist was heard saying.

Supporters of the two parties came to blows following heated arguments over election results in Barasat area of North 24 Parganas, police sources said.

The BJP also claimed that one of its members was severely beaten up by TMC activists in the city's Belegkata area, a charge denied by the Mamata Banerjee camp.

(With inputs from PTI)

ALSO READ: Calls for nationwide lockdown intensify as Covid-19 cases rise

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Swapan Dasgupta Appeals Amit Shah To Rush Security To Bengal Over Violence & Molestation

34

R. republicworld.com/india-news/law-and-order/swapan-dasgupta-appeals-amit-shah-to-rush-security-to-bengal-over-violence-and-molestation.html



As post-election violence continued to escalate in West Bengal on Monday evening, BJP MP Swapan Dasgupta appealed to Union Home Minister Amit Shah to rush security and restore the law-and-order situation in the state. Widespread violence and vandalism resulting in killings, injuries and loss of property have been rampant in Bengal, following the release of assembly election results on Sunday.

Shedding light on one such situation in the Nanoor village of Birbhum district, Dasgupta said more than a thousand families have rushed to the fields to escape the marauding mobs seeking to take it out against BJP supporters. Citing reports of molestation of women in the area, the BJP leader asked HM Shah to rush security forces to the state.

Alarming situation in Nanoor (Birbhum district) with more than a thousand Hindu families out in the fields to escape marauding mobs seeking to take it out against BJP supporters. Reports of molestation or worse of women. [@AmitShah](#) please rush some security to the area.

— Swapan Dasgupta (@swapan55) [May 3, 2021](#)

Centre, Governor seek report on Bengal violence

Earlier in the day, the Union Home Ministry wrote to the Mamata Banerjee government seeking a report on the ongoing violence and the steps taken by the administration to bring the situation under control. Bengal Governor Jagdeep Dhankhar also summoned

the Director-General of Police and the CP of Kolkata on the prevailing situation and sought a report on the same. However, the Additional Chief Secretary of the Bengal Home Department failed to forward the reports, the Governor said.

READ | [BJP accuses TMC of burning its party offices & attacking workers as it wins Bengal polls](#)

Both DGP @WBPolice and CP @CPKolkata have informed that they had sent their reports as sought by me to ACS Home @HomeBengal. Cannot figure out why ACS Home has not forwarded to me these when violence continues unabated & there are concerns over it in Country and even outside.

— Governor West Bengal Jagdeep Dhankhar (@jdhankhar1) [May 3, 2021](#)

The Bharatiya Janata Party has claimed that criminal elements in the TMC cadre have been brutally attacking its candidates and setting the BJP offices on fire. Over a dozen people have died in the incidents of violence and arson that has unleashed in Bengal.

READ | [Nine dead in post-poll violence in Bengal; Guv summons DGP, confers with Mamata Banerjee](#)

In light of the violence, BJP National President JP Nadda will be visiting the state on May 5 and meet the affected families of party workers during his visit. Meanwhile, the BJP said it will hold a nationwide dharna on May 5 in protest against the widespread violence by TMC workers post the election results. This protest will be held following all COVID protocols across all organisational mandals, the party said.

READ | [Home Ministry seeks report from West Bengal govt on post-poll TMC-BJP violence, deaths](#)

READ | [JP Nadda to return to Bengal; BJP to hold nationwide dharna against post-poll violence](#)

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Bengal Election: BJP activist beaten to death in Kankurgachhi

36

[anandabazar.com/elections/west-bengal-assembly-election/west-bengal-election-2021-bjp-alleges-tmc-killed-their-worker-by-beating-at-kankurgachhi-dgtl/cid/1279084](https://www.anandabazar.com/elections/west-bengal-assembly-election/west-bengal-election-2021-bjp-alleges-tmc-killed-their-worker-by-beating-at-kankurgachhi-dgtl/cid/1279084)



Political violence has started in different places after the results of the election were announced. Trinamool was accused of beating a BJP activist to death in Kankurgachhi. It is learned that the name of the deceased BJP worker is Abhijit Sarkar. His house is in Shitlatala Lane, Kankurgachhi. He is said to have been the BJP's trade union leader. The family alleges that Abhijit was strangled and killed shortly after the results were released on Sunday. They have alleged that the attack was carried out by grassroots miscreants in front of everyone's eyes. However, at the time of writing this report on Monday morning, the Trinamool Congress did not respond to the allegations. The incident has spread tension in the area.

According to the family, Abhijit was doing Facebook live at the time of the attack. Trinamool miscreants were vandalizing the houses of BJP supporters one after another. At that time, the miscreants attacked Abhijit as he tried to show everything on Facebook Live. Abhijit's mother Madhavi Sarkar was also allegedly beaten. After the beating, Abhijit was taken to Nilratan Sarkar Medical College and Hospital where doctors declared him dead.

Abhijit's grandfather Biswajit alleged that the miscreants had broken the CCTV installed in the house. They have lodged a complaint with the police station. They have also informed the Election Commission. Biswajit said that the autopsy of Abhijit's body will be done on Monday at 12 noon.

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A handwritten signature in black ink, appearing to be 'Hassan', written over a grid pattern.

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Bengal Election: BJP town president's house bombing allegations against Trinamool

 [anandabazar.com/elections/west-bengal-assembly-election/west-bengal-election-2021-bombing-in-bjp-town-presidents-house-at-kandi-dgllid/cid/1279081](https://www.anandabazar.com/elections/west-bengal-assembly-election/west-bengal-election-2021-bombing-in-bjp-town-presidents-house-at-kandi-dgllid/cid/1279081)



The bombing of the BJP town president's house in Kandy, Murshidabad, took place shortly after the election results were announced. The area has become heated in this incident.

According to local sources, the bombing of Kandi Town BJP president Binita Roy's house in Baghdanga area of Kandi around 11pm on Sunday has been blamed on grassroots miscreants. A bomb exploded but another fresh bomb was recovered from the scene.

In this context, Binita complained, "After the results of the vote were announced, a group of grassroots-backed miscreants attacked. My house was bombed. I reported it to the police. Somehow we survived. The Trinamool has started terrorism as soon as the vote is over.

However, the local grassroots leadership claims that none of their party is involved. This is a manifestation of the anger of the local people.

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Upon receiving the news of the bombing, a large police force led by Kandi Police Station IC Subhash Ghosh reached the spot. They went and inspected the spot. Police have started an investigation into who was involved in the incident.

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A handwritten signature in black ink, appearing to be 'Subhash Ghosh', written over a grid pattern.

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After the result, Chopra became hot with political violence

40

[eisamay.indiatimes.com/west-bengal-news/raigunge-news/chopra-heated-by-political-violence-allegations-of-looting-of-houses-and-shops-of-bjp-workers-against-trinamool/articleshow/82369670.cms](https://www.eisamay.indiatimes.com/west-bengal-news/raigunge-news/chopra-heated-by-political-violence-allegations-of-looting-of-houses-and-shops-of-bjp-workers-against-trinamool/articleshow/82369670.cms)

Rupsa Ghosal

May 3, 2021



This time Digitus Desk: After the announcement of the results of the assembly polls in the state, Bengal (West Bengal Election 2021 Result) has become hot with political violence . Tensions erupted at the Chopra assembly constituency in north Dinajpur after the counting of votes was over on Sunday evening. Trinamool-affiliated miscreants have been accused of breaking into BJP workers' homes, looting and beating them.

TMC VS BJP). Signs of beatings and looting were also seen at various places including Sonapur, Majhiyali, Daspara, Ramganj, Chopra Bazar of Chopra on Monday night. The people of Chopra were terrified of the whole incident.

What are more than 20,000 people doing at the moment? Learn

It is learned that Trinamool candidate Hamidul Rahman has won from Chopra assembly constituency. As soon as his victory was confirmed, one after another allegations of violence came from different areas of Chopra including Sonapur, Majhiyali, Daspara, Ghirnigaon. It is alleged that the grassroots miscreants started from the BJP party office

and raided the houses of BJP workers. Somewhere BJP workers have been beaten and somewhere BJP workers' houses have been looted. In the Sadar Chopra Bazar area, rampant grassroots activists allegedly looted various shops, starting from the demolition of the BJP party office. Although the whole incident took place in front of the police, it has been alleged that the police played the role of silent spectator.



On the night of Shivaratri, the brother of the nephew lit the lamp of

the united front

Meanwhile, the owners of the damaged shops, seeing the condition of the shops since morning, practically sat down with their hands on their heads. Their regret is, 'We do business and eat. I don't do any political party. However, after winning the election on Sunday evening, the miscreants sheltered by the Trinamool Congress vandalized shops and houses in the area. Not only BJP workers, but also grassroots workers have been accused of vandalizing shops. Expressing anger over the incident, a local female Trinamool activist named Meena Saha said, 'We are Trinamool, our shop has also been vandalized by the miscreants sheltered by the Trinamool. I will ask MLA Hamidul Rahman why such an incident took place. However, Trinamool Congress president Prithvi Ranjan Ghosh has denied all the allegations. He counter-claimed that the news of vandalism and looting had not reached him. 'The BJP has beaten the grassroots workers before the vote. Trinamool offices were also vandalized. We are for peace and development. However, Trinamool Bloc president Prithvi Ranjan Ghosh said that if any sporadic incident took place, it should not have happened. Meanwhile, tensions have erupted in the Chopra assembly constituency over the whole incident.



Even after the Modi-Didi war, fighting continued in the districts and

even death

It may be mentioned that Trinamool Congress candidate Hamidul Rahman has won by a huge margin in Chopra. Defeated BJP candidate Shahin Akhtar. The Trinamool was accused of firing on BJP-affiliated supporters on the evening of polling day. After that, even after the counting of votes, the grassroots camp was again in the throes of allegations.

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Post-poll violence in Bengal: Centre seeks report, BJP targets Mamata

[indiatvnews.com/elections/news-bengal-post-poll-violence-tmc-bjp-mamata-banerjee-centre-seeks-report-latest-updates-702239](https://www.indiatvnews.com/elections/news-bengal-post-poll-violence-tmc-bjp-mamata-banerjee-centre-seeks-report-latest-updates-702239)

Shashank Shantanu

May 3, 2021



Image Source : ANI

BJP party office at Arambagh was set ablaze on May 2.

West Bengal has reported several incidents of violence following results for Assembly elections were announced on Sunday (May 2). With the Trinamool Congress registering an overwhelming victory, reports of attack on BJP offices and workers started pouring in from across the state.

Vehicle of Suvendu Adhikari, who defeated TMC chief Mamata Banerjee in a cliffhanger battle in Nandigram, was also reportedly attacked on Sunday evening.

The BJP also alleged that four of its workers were killed in the state in post-poll violence. In a tweet, BJP general secretary Kailash Vijayvargiya, who is the party's in-charge for the state, said its four workers have been killed and over 4,000 houses ransacked in incidents of post-poll result violence.

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ALSO READ: How come EC reverse Nandigram result after formally announcing it? We will move court: Mamata Banerjee

"Listen @MamataOfficial. It's your duty to protect the people of state which has given the mandate to you. But you never were a CM with compassion. We will fight tooth & nail this time with 18 MPs & 77 MLAs," BJP general secretary B L Santhosh said in a tweet.

ममता जी की जीत के बाद उनके कार्यकर्ता जश्न मना रहे हैं और भाजपा कार्यकर्ताओं के घर तोड़ रहे हैं। अब तक 9 से ज़्यादा भाजपा कार्यकर्ताओं की हत्या हो चुकी है। pic.twitter.com/sMDpX4qu61

— Kailash Vijayvargiya (@KailashOnline) [May 3, 2021](#)

Home Ministry seeks report

The Home Ministry in a letter to the West Bengal Chief Secretary has asked him to submit a detailed report on the violence that broke out in parts of the state on Sunday evening even as trends and results from the Assembly election were pouring in.

ALSO READ: Mamata Banerjee to take oath as West Bengal CM for the third term on May.5

"MHA has asked West Bengal Government for a report on the post election violence targeting opposition political workers in the state," the Home Ministry Spokesperson tweeted.

Mamata urges supporters to maintain peace

Earlier today addressing the media, Mamata Banerjee urged her supporters to maintain peace amid reports of violence from some areas, asking them not to fall prey to provocations.

The central forces committed many atrocities on TMC supporters during the elections, she alleged.

"Even after the results were announced, BJP attacked our supporters in certain areas but we ask our men not to get provoked and instead report to the police," Banerjee said.

She alleged that some police officers had worked in a partisan manner against the TMC during the elections.

(With inputs from agencies)



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Bengal Violence: 4 Killed In Clash Between TMC & BJP Workers In Purba Bardhaman

45

▲ news.abplive.com/news/india/bengal-violence-4-killed-in-clash-between-tmc-bjp-workers-in-purba-bardhaman-1456683

May 4, 2021

PTI quoted official sources as saying this in connection with the violence, which took place a day after the TMC swept the West Bengal Assembly polls winning 213 seats to secure a third term in office.

By: [ABP News Bureau](#) | 04 May 2021 12:16 AM (IST)



Representative Photo: PTI

Purba Bardhaman: At least four people were allegedly killed in clashes between the Trinamool Congress (TMC) and Bharatiya Janata Party (BJP) workers in West Bengal's Purba Bardhaman district on Monday.

PTI quoted official sources as saying this in connection with the violence, which took place a day after the TMC swept the West Bengal Assembly polls winning 213 seats to secure a third term in office.

ALSO READ | Bengal Violence: BJP To Hold Nationwide Dharna On May 5 Over 'Retributive' Attacks By 'TMC Cadre'

Meanwhile, the BJP has announced to hold a nationwide dharna on May 5 against the widespread violence unleashed by the TMC workers post the results of the elections.

The BJP, which made the announcement on its official Twitter handle, said this protest will be held following all Covid-19 protocols across all organisational mandals of the party.

“The BJP has announced a nationwide dharna on 5th May against the widespread violence unleashed by TMC workers post the election results in West Bengal. This protest will be held following all Covid protocols across all organisational mandals of the BJP,” the saffron party tweeted.

The BJP has announced a nationwide dharna on 5th May against the widespread violence unleashed by TMC workers post the election results in West Bengal.

This protest will be held following all Covid protocols across all organisational mandals of the BJP.

— BJP (@BJP4India) May 3, 2021

The BJP further said national party chief J.P. Nadda will be visiting West Bengal on May 4 and 5 “in view of the widespread post results retributive violence unleashed on BJP workers and supporters”.

“BJP National President Shri JPNadda will be visiting West Bengal on 4-5 May, in view of the widespread post results retributive violence unleashed on BJP workers and supporters by criminal elements in the TMC cadre. He will be visiting families of the affected karyakartas,” the party said in another post.

BJP National President Shri [@JPNadda](#) will be visiting West Bengal on 4-5May, in view of the wide spread post results retributive violence unleashed on BJP workers and supporters by criminal elements in the TMC cadre.

He will be visiting families of the affected karyakartas.

— BJP ([@BJP4India](#)) May 3, 2021

Taking note of the outbreak of alleged political violence in West Bengal after declaration of poll results, the Union Home Ministry has asked the state government for a detailed report on post-election targeting of political workers belonging to the opposition camp.

“MHA has asked West Bengal Government for a report on the post-election violence targeting opposition political workers in the state,” the MHA spokesperson tweeted.

MHA has asked West Bengal Government for a report on the post election violence targeting opposition political workers in the state.[@HMOIndia](#) [@PIB_India](#) [@DDNewslive](#) [@airnewsalerts](#) [@ANI](#)

— Spokesperson, Ministry of Home Affairs ([@PIBHomeAffairs](#)) May 3, 2021

This came as West Bengal Governor Jagdeep Dhankhar earlier in the day summoned state DGP P. Nirajnyan over the alleged 'alarming' law and order situation.

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India: Five killed in election violence in West Bengal state

48

04.05.2021

[aljazeera.com/news/2021/4/10/5-killed-in-local-election-violence-in-indias-west-bengal-state](https://www.aljazeera.com/news/2021/4/10/5-killed-in-local-election-violence-in-indias-west-bengal-state)

News | Narendra Modi

Rival parties blame each other for inciting the violence in battleground state's Cooch Behar district.



Voters leave a polling station after casting their votes during the fourth phase of West Bengal state elections in Kolkata [Bikas Das/AP]

At least five people have been killed by gunfire in election-related violence in India's West Bengal state, according to police.

Four people died and four others were wounded near a polling station in Cooch Behar district on Saturday when security forces opened fire to control a crowd, senior police officer Vishal Garg was quoted as saying by The Associated Press news agency. He gave no further details on what had sparked the clashes.

In a separate incident, unidentified gunmen fired at voters at another polling booth in the same district, killing one person. Garg said police were investigating the attack.



Volunteers check the body temperature of voters and distribute gloves at a polling station during the fourth phase of West Bengal's state elections in Kolkata, India, on Saturday, April 10, 2021 [Bikas Das/AP]

Local elections in West Bengal, India's fourth most populous state with 90 million people, are being held in eight phases. Voting in four Indian states and a union territory began in late March and is spread over a month. Results will be declared on May 2.

Security arrangements were tightened and nearly 80,000 security personnel were deployed across 16,000 polling stations in West Bengal for Saturday's voting, reports said.

Key test

The eastern state, which has Kolkata as its regional capital, has been hit by election-related violence before, including deadly clashes between supporters of rival political parties.

The vote is seen as a contest between the state's ruling All India Trinamool Congress and Indian Prime Minister Narendra Modi's Bharatiya Janata Party (BJP).

State Chief Minister Mamata Banerjee confirmed Saturday's deaths, even as the rival parties blamed each other for inciting the violence and demanded a probe by the Election Commission.

The elections are seen as a crucial test for whether the BJP can gain a foothold in the northeast and south. The Hindu nationalist party controls a dozen of India's 28 states, with alliance partners in several others, but it has never won power in West Bengal.

Modi and his top leaders have campaigned heavily to wrest power from the Trinamool Congress.

A defeat for Banerjee, a strong Modi critic, would deal a blow to the country's already weak opposition.

Modi's overall popularity remains unmatched in India, but his party has faced tougher than expected challenges in recent state polls.

Source: News Agencies


TRUE COPY



WWW.LAWTREND.IN

Bengal Polls: Violence erupts after Shitalkuchi

51

 [anandabazar.com/elections/west-bengal-assembly-election/wb-election-2021-bjp-workers-allegedly-killed-by-tmc-goons-at-dinhata-of-cooch-behar-dgtd/cid/1279194](https://www.anandabazar.com/elections/west-bengal-assembly-election/wb-election-2021-bjp-workers-allegedly-killed-by-tmc-goons-at-dinhata-of-cooch-behar-dgtd/cid/1279194)

DATED: 04.05.2021



After the announcement of the results of the assembly polls, a BJP activist again resorted to violence in Kochbihar district. After the cold snap, this time in Dinlahatra Petla Gram Panchayat area Jamadar Boss area. Trinamool has been accused of beating to death a BJP activist named Haradhan Roy on Monday. There is tension in the whole area over the incident. However, the Trinamool has denied the murder allegations.

According to police sources, clashes between Trinamool and BJP supporters started in Jamadar Boss area of Petla Gram Panchayat on Monday morning. The BJP alleges that grassroots miscreants have been vandalizing the homes of BJP workers since the election results were announced. BJP is beating activists and supporters. A BJP supporter named Manik Maitra was shot dead in the small Shalbari area of Shitalkhuchi on Monday morning.

BJP district president Malati Rava Roy said, "Haradhan was dragged out of his house by grassroots miscreants and beaten to death. Trinamool is carrying out terrorism across the district. The police administration is not taking any action. If the grassroots miscreants do not stop terrorism, and if the administration does not take any action, we will take the field to prevent terrorism if necessary.

Regarding the killing of two BJP workers, Trinamool district core committee member Abdul Jalil Ahmed said, "The BJP has been waging terrorism since the election results were announced. A grassroots activist was seriously injured in an attack by BJP miscreants in Dinhata. BJP miscreants have been bombing Petla gram panchayat since

morning. BJP workers have died in the wake of the riots among themselves. Now it is trying to put the blame on the grassroots. The grassroots have nothing to do with this incident. "

Incidentally, on April 10, four people were killed by the central forces during a riot at booth number 126 in Shitalkhuchi. In another incident on the same day, a young BJP supporter was shot dead. The situation has started heating up again after the BJP's victory in the assembly polls in Shitalkhuchi.

TRUE COPY



WWW.LAWTREND.IN

ANNEXURE — P 11



Pradeep Bhandari(

✓ · 12h



Voters punished for voting @SuwenduWB in Nandigram. The price one pays to vote against TMC in INCLUSIVE #Bengal



320



3.6K



5K





Aishe ()  @aishe_ghosh · 12h 

TMC should atleast respect people's mandate, which was given to you for working for the people of Bengal, not for unleashing violence on our people. Your party cadres are unleashing violence, attacking houses, party offices. This won't be tolerated at any cost.



413



2.4K



5.7K





Aishe ()  @aishe_ghosh · 11h



 24

 226

 669



WWW.LAWTREND.IN

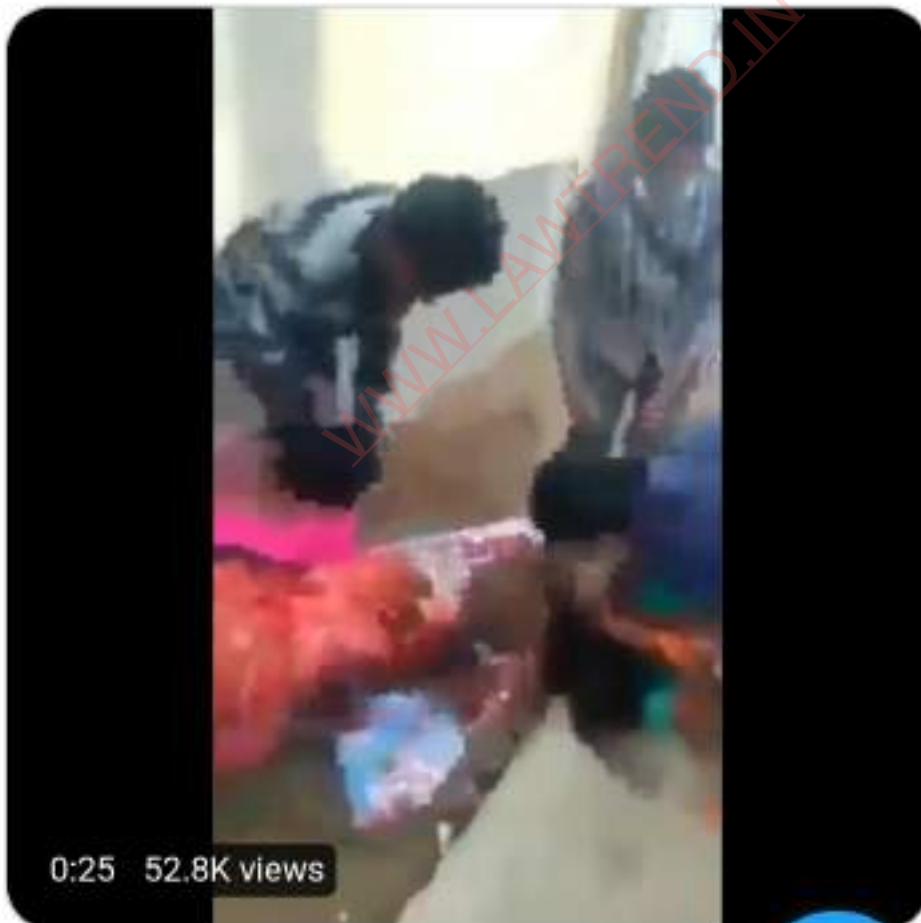


Priti Gandhi -
@MrsGandhi



Those who gave long lectures on how "Didi O Didi" was offensive have brought West Bengal down to this. Shame on you all!!

[#BengalViolence](#)



11:33 PM · May 3, 2021 · Twitter for Android





Abhijit Majumder  @abhijit... · 21h ...

North Dumdum. Will the central leaders do anything? #Bengal



405



3.9K



4.8K



WWW.LAWTREND.IN



Abhijit Majumder  @abhijit... · 20h ...

BJP worker Avijit Sarkar beaten to death.
Haven't seen a single report in MSM.



BJP's Avijit Sarkar posted 2 videos
before he was lynched by TMC goons

 opindia.com

 30

 788

 893





Abhijit Majumder  @abhijit... · 20h ...

Arambagh BJP office.



From **Anindya**

 21

 608

 839





Abhijit Majumder @abhijit... · 20h ...

Victorious goons attacked the founder and employees of Sunshine BirdWorld, one of the largest Avian Breeding And Research Centre in India at Khalisadi, Bengal.



79 1.5K 1.6K



Swapan Dasgupta 

@swapan55



Alarming situation in Nannoor (Birbhum district) with more than a thousand Hindu families out in the fields to escape marauding mobs seeking to take it out against BJP supporters. Reports of molestation or worse of women. [@AmitShah](#) please rush some security to the area.

9:34 PM · May 3, 2021 · Twitter for iPhone



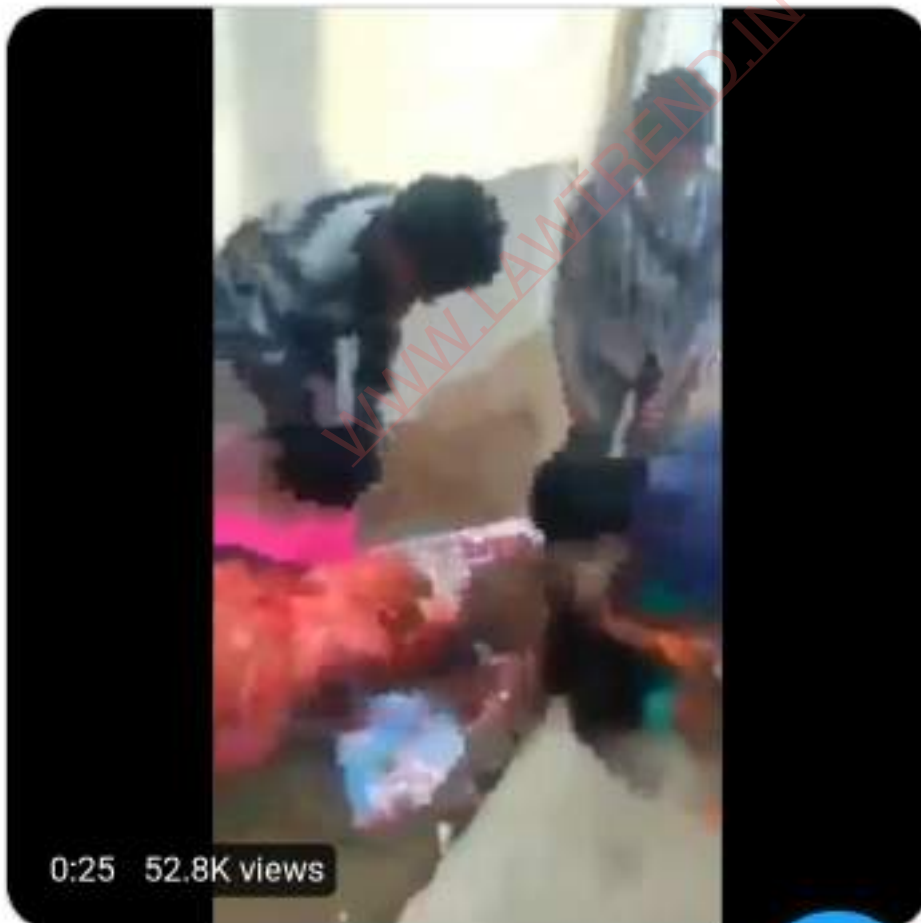
Priti Gandhi - प्रीति गांधी ✓

@MrsGandhi



Those who gave long lectures on how "Didi O Didi" was offensive have brought West Bengal down to this. Shame on you all!!

#BengalViolence



11:33 PM · May 3, 2021 · Twitter for Android





Kailash Vijayvargiya ✓
@KailashOnline



TMC Muslim Goons are beating
BJP Women Workers in
kendamari village, Nandigram

#Shamemamatabannerjee
#ShameTMC





Devang Dave  @DevangVDa... · 17h ...


Smt. Sova Rani Mondal, Mother of Kamal Mondal who is the President of Booth No. 177, Jagaddal Assembly has been murdered while saving her son from TMC Goons.

[#SaveBJPKaryakartas](#)

[@jdhankhar1](#)



 8

 109

 98





Devang Dave  @DevangVDa... · 11h ...

Horrific Details Coming From [#WestBengal](#) on [#PostPollVoilance](#)

BJP grassroots karyakartas heads been torn off

If the joy of winning in Bengal is done in this way, then how mentality of state has come down to this is really a matter of great concern.

[#SaveBJPKaryakartas](#)



Narendra Modi and 3 others

 7

 108

 142





Devang Dave  @DevangVDa... · 11h 

BJP Karyakartas are so scared things around them look horrible

[@rashtrapatibhvn](#) please intervene and Stop this Violence

[@JPNadda](#) ji tomorrow your visit at Bengal please ensure our karyakartas are safe and send a strong message

This is worst than [#jallianwalabaghmassacre](#)

Sir we in big danger. Here in chopra uttar dinajpur wb situation is very fearful. Hindus home shop temples women r targeting n burnt. Pls, save us

Yesterday, 22:16

Narendra Modi and 2 others



2



47



71





Pritam Dutta @Pritam__Dutta · 11h



His only sin is that he is a worker of
[@BJP4India](#) [@BJP4Bengal](#) [#BengalBurning](#)

[@SpokespersonECI](#) [@ECISVEEP](#)
[@jdhankhar1](#) [@PMOIndia](#) [@HMOIndia](#)
[@BJP4India](#) [@TajinderBagga](#)



139



1.5K



1.3K





Sitaram Yechury  @Sitaram... · 12h ...

Are these reports of gruesome violence in Bengal TMC's 'victory celebrations'?
Condemnable.

Will be resisted & rebuffed.

Instead of focusing on combating the pandemic TMC unleashes such mayhem.
CPI(M), as always, will be with the people to protect, assist, providing relief.



 849

 4.6K

 8.7K





Nisith Pramanik  @NisithPr... · 14h ...

In coochbehar Natabari, Dinhata, Sitai assemblies TMC goons are attacking Hindu Houses, breaking Temple's, raping woman's and killing people. This is what new Govt is doing after coming in power. I strongly condemns this and urging MHA and @jdhankhar1ji to intervene at the earliest.



BJP Bengal and 8 others





J  @Sootradhar · 13h 

Dear Dr. Kovind ([@rashtrapatibhvn](#))
Situation in West Bengal has worsened. 09
Citizens are confirmed dead and thousands
have had their homes, shops burnt part of
vengeance planned by Trinamul Party.

Request please order the CJI to take suo
moto cognizance of [#BengalBurning](#)

 16  411  653 



Kanchan Gupta  @Kanchan... · 12h 

Overwhelmed and distressed by flood of
calls, pictures and videos of terrifying
violence unleashed by [#TMC](#) on [#BJP](#)
workers, supporters and voters across
[#WestBengal](#)

It's mayhem happening out there.
Women are being targeted, dragged out of
homes, beaten, molested...

[#BengalBurning](#)

 93  1.9K  2.9K 



Rishi Bagree 🇮🇳 @rishibagree · 18h ...

TMC goons taking out victory march, ravaging and marauding the homes of ppl who voted for BJP



520 4.2K 4.4K



Rishi Bagree 🇮🇳 @rishibagree · 18h ...

Location - Pirtala, Purba Burdwan

26 311 873



Rajesh Kashyap



14h • 🌐

Anybody who says this is their "Idea of India" must be treated a lunatic escaped from mental asylum.

Goondamul thugs let loose by Mamata thrashing [West Bengal Police](#)

#BengalBurning

Not only #BJP workers, even #Bengal cops bearing brunt of #TMC goons.

#BengalElection2021

#BengalViolence

#BengalBurning





Prakash Lalit



8h • 🌐

India Cannot See another Exodus like Kashmir

#BengalBurning

#WestBengalElections2021

#ViolenceInBengal





Tanmayee Roy is with **Roy Tanmayee.**



10h • 🌐

Victory celebration of #TMC

#BengalBurning

#LesserEvil2

"Lesser evil" "anti-fascists" on a rampage in South 24 Parganas district of West Bengal. Possibly a part of 'victory celebrations' on their 'democratic' didi making it to power for a straight and successive third term.

Homes belonging to opposition activists and supporters - I mean those of the electorally wiped out party - are thus being targeted. The administration remains a mute spectator, while SHE keeps basking in the glory without even uttering a word of disapproval or condemnation. Let alone an assurance or redressal ...

**The Bengal Today**

15h • 🌐



The violence started in Bengal after the elections, 9 people died in 24 hours, there is an atmosphere of fear in the state. The ruling party is sitting with folded hands, the police is inactive. We had brought the request to the Governor, he accepted the request and assured: Dilip Ghosh, West Bengal BJP President

Source: ANI

#westbengal #WestBengalPolls
#WestBengalViolence #dilipghoshbjp
#BengalViolence



TRUE COPY

Tweet

 **Governor West Bengal Jagdeep...** @jdankhar1

During our more than an hour interaction @MamataOfficial my primary focus was that the Government takes all steps to ensure the post poll violence, arson, loot and killings end.

It is unfortunate that many lives have been lost, several injured, houses torched in this violence.

9:07 pm · 03 May 21 · [Twitter for iPhone](#)

1,751 Retweets 4,110 Likes

Thread

 **Governor West Bengal Jagdeep...** @jdankhar1

Was constrained to summon ACS @HomeBengal DGP @WBPolice Police Commissioner @CPKolkata in wake of post poll violence & vandalism resulting in killings, injuries & destruction of shops and houses.

All were called upon to submit report urgently.

Unfortunate no report thus far.

10:42 pm · 03 May 21 · [Twitter for iPhone](#)

5,571 Retweets 12K Likes

Thread

 **Governor West Bengal Jagdeep Dhankhar** @jdankhar1

Replying to @jdankhar1

Both DGP @WBPolice and CP @CPKolkata have informed that they had sent their reports as sought by me to ACS Home @HomeBengal. Cannot figure out why ACS Home has not forwarded to me these when violence continues unabated & there are concerns over it in Country and even outside.

11:01 PM · May 3, 2021 · [Twitter for iPhone](#)

1,836 Retweets 188 Quote Tweets 4,444 Likes

TRUE COPY



IN THE SUPREME COURT OF INDIA

CIVIL ORIGINAL JURISDICTION

I.A.No. of 2021

IN

W.P. (C) No. of 2021

IN THE MATTER OF:

INDIC COLLECTIVE TRUST ... PETITIONER

VERSUS

UNION OF INDIA & ORS. ... RESPONDENTS

**AN APPLICATION FOR EXEMPTION FROM FILING
NOTARISED AFFIDAVIT**

TO

THE HON'BLE CHIEF JUSTICE OF INDIA
AND HIS COMPANION JUSTICES OF THE
SUPREME COURT OF INDIA

THE HUMBLE APPLICATION OF THE ABOVE-
NAMED APPLICANTS/ PETITIONERS

MOST RESPECTIVELY SHOWETH:

1. The Petitioner herein is filing the present Writ Petition under Article 32 of the Constitution of India for issuance of a Writ, order or direction in the nature of an appropriate Writ seeking directions to the Ministry of.....
2. That the facts and averments in the accompanying Writ Petition may be read as part and parcel of this application to avoid repetition and for sake of brevity.
3. That the Applicant/Petitioner herein submits that his place of residence comes under the containment zone and therefore, he

is not able to go outside to a Notary and get the affidavit attested. In the circumstances, the Applicant/ Petitioner herein may kindly be exempted from filing notarized affidavit in the interest of justice.

PRAYER

It is respectively prayed that your Lordships may graciously be pleased to: -

- a) Exempt the Applicant/ Petitioner herein from filing notarized affidavit along with the Writ Petition;
- b) Pass any such Order (s) as this Hon'ble Court may deem it fit and proper in the circumstances of the case.

AND FOR THIS ACT OF KINDNESS THE PETITIONER SHALL AS IS DUTY BOUND EVER PRAY.

DRAWN & FILED BY



SUVIDUTT M.S.

ADVOCATE FOR APPLICANT/ PETITIONER

DRAWN ON: 04.05.2021

FILED ON: 04.05.2021

NEW DELHI

IN THE SUPREME COURT OF INDIA

CRIMINAL/ CIVIL/ APPELLATE/ ORIGINAL JURISDICTION

CrI/Civil Special Leave Petition/ Appeal/ Arbitration Application No. _____ of 2021
Writ Petition/ Habeas Corpus Petition/ Transfer Petition No. _____ of 2021
Curative Petition/ Review Petition/ Caveat Petition No. _____ of 2021

INDIC COLLECTIVE TRUST

PETITIONER (S)/ APPELLANT (S)/
APPLICANT (S)

UNION OF INDIA & ORS.

VERSUS

RESPONDENT (S)

VAKALATNAMA

I/We ARAVIND G. Petitioner (s)/ Appellant (s)/ Applicant (s) Caveator (s)/ Respondent (s) in the above Petition/ Application/ Appeal Petition do hereby appoint and retain.

SUVIDUTT M.S.

Advocate-on-Record, Supreme Court of India

To act and appear for me/us in the above Complaint And on my/our behalf to conduct and prosecute (or defend) the same and all proceedings that may be taken in respect of any application connected with the same or any decree or order passed therein, including proceedings in taxation and application for Review to file and obtain return of documents, and deposit and receive and money on my/our behalf in the said Complaint and in application for Review, and to represent me/us and to take all necessary steps on my/our behalf in the above matter. I/We agree to ratify all acts done by aforesaid Advocate in Pursuance of this authority.

Dated this the 03 day of MAY 2021

ACCEPTED & IDENTIFIED & CERTIFIED

SUVIDUTT M.S.

Advocate-on-Record

Chamber No. 123, M.C. Setalvad Block,
Bhagwan Dass Road, Supreme Court,
New Delhi – 110001
Mob: 9999778751; Phone: 0120-4973635



Put Signature(s) below:

Aravind G.
For Indic Collective Trust
Appellant (s)/

Applicant (s)/ Caveator (s)/
Respondent (s)

MEMO OF APPEARANCE

To

The Registrar,
Supreme Court of India,
New Delhi

Sir,

Please enter my appearance for the Petitioner (s)/ Appellant (s)/ Applicant (s)/ Respondent (s)/ Caveator (s) – in the above-mentioned Case.

Date.....04.05..2021

Yours faithfully,

SUVIDUTT M.S.

Advocate-on-Record

Advocate for Petitioner (s)/Appellant (s)/
Applicant (s)/Caveator (s)/Respondent (s)

Chamber No. 123, M.C. Setalvad Block,
Bhagwan Dass Road, Supreme Court, New Delhi – 110001
Mob: 9999778751; Phone: 0120-4973635

CODE NO: 2401