

# SURYANEEL DAS

 Advocate  
High Court, Calcutta  
B.B.A. LLB (Hons.)  
National Law University, Jodhpur  
Enrolment No.F-547/710 of 2018 (WB)

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Date : 31.03.2023

To

1. The Learned Government Pleader,  
High Court, Calcutta  
Appellate Side.
2. The Additional Government Pleader,  
Ministry of Law and Justice,  
11, Strand Road, Kolkata- 700 001
3. Additional Solicitor General,  
High Court, Calcutta
4. Director General,  
National Investigation Agency,  
CGO Complex, Lodhi Road,  
New Delhi – 110003  
Service through Mr. Billwadal Bhattacharyya  
Learned DSGI  
High Court, Calcutta

Re: WPA (P) No.151 of 2023  
In the matter of:  
Suvendu Adhikari  
....Petitioner  
-Versus-  
State of West Bengal & Ors.  
....Respondents

Sir(s)/Madam,

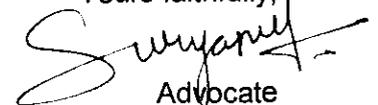
Please find enclosed the Writ Petition along with all its annexures for your kind perusal. Kindly note that the captioned matter was mentioned before His Lordships the Hon'ble Acting Chief Justice T.S. Sivagnanam and Justice Hiranmay Bhattacharyya at the first sitting of the Court on 31.03.2023, when after being satisfied with the urgency in the matter, His Lordships were pleased to direct the listing of the matter on Monday, 03.04.2023.

Kindly attend when the matter is taken up on 03.04.2023.

Thanking you,

Encl: As above.

Yours faithfully,

  
Advocate

### SYNOPSIS

On 30.03.2023, Hindus around the world celebrated Ram Navami, and such celebrations were held in the State of West Bengal. However, as has been the trend in the last couple of years in the State of West Bengal, such celebration was marred by violence due to the communal flagrations by anti-social elements perpetrated upon the peaceful participants of Ram Navami Processions at Howrah and Dalkhola (a town in the district of Uttar Dinajpur). A Ram Navami Shobha Yatra was organized by the Biswa Hindu Parishad and the Anjani Putra Provision, Howrah. Every year the procession is organized by these two organizations and celebrated widely by Hindus staying in Howrah as well as all over the State. Accordingly on 30.03.2023 the Shobha Yatra for Ram Navami organized by the abovenamed organizations was proceeding peacefully from Howrah Kazipara to Howrah Maidan and when the procession reached near Chara and PM Bustee, suddenly war broke out at the instance of Anti-social elements , who despite due police permission granted to the organizers to conduct the said Shobha Yatra, were prepared in a premeditated manner to attack the procession. Although, attack by the Anti-social elements on Ram Navami processions is a regular affair every year, however, the attack this year had crossed all limits of brutality. Severe stone pelting started from the roofs upon the participants of the Shobha Yatra in presence of the police and there is no doubt that it was preplanned organized attack upon the rally by the local Anti-social elements of the area. The stone pelting was followed by attack on the participants of the procession by the law breakers who were armed and there was constant bombing by them in presence of helpless police personnel. Hence this application.

SHORT LIST OF DATES

Dates	Events
30.03.2023	Hindus around the world celebrated Ram Navami, and such celebrations were held in the State of West Bengal
30.03.2023	As scheduled, the Ram Navami Procession started from College More to Dalkhola Lokenath Para, when upon reaching Uttar Dalkhola, the peaceful participants of the Ram Navami procession were ambushed by attackers belonging to the Antisocial community,

DISTRICT: HOWRAH

IN THE HIGH COURT AT CALCUTTA  
CONSTITUTIONAL WRIT JURISDICTION  
APPELLATE SIDE

W.P.A.(P) NO. 151 OF 2023

In the matter of:-

An Application under Article 226 of  
the Constitution of India;

Subject matter relating to:

Under Group - IX Head - NIL  
of the classification list-

Cause Title

Suwendu Adhikari

...Petitioner

Versus

The State of West Bengal and Ors.

.....Respondents

SURYANEEL DAS  
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Enrolment No.F/5477/710/2018

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DISTRICT: HOWRAH

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.....Respondents

Points of Law

- I. Whether there has been a complete breakdown in the law and order situation in the State of West Bengal.
- II. Whether the petitioner states and submits that there has been a complete breakdown in the law and order situation in the State of West Bengal.
- III. Whether there has been a consorted conspiracy hatched by various people with vested interests which is required to be investigated and such perpetrators be brought to book.

- IV. Whether there has been a complete failure on the part of the State Government to protect its citizens.
- V. Whether a thorough investigation is required to be conducted by an impartial investigating agency to find out who were responsible for such attack.
- VI. Whether the communal violence which has been perpetrated at the behest of Anti-social elements upon the peaceful Hindu participants of Ram Navami Shobha Yatra and the manner in which it was carried out clearly suggest that a larger conspiracy is at play here and the entire attack was premeditated only to ensure that Hindus are not allowed to celebrate their festival.
- VII. Whether since bombs were hurled, the provisions of the Explosive Substances Act, 1908 will be attracted, and offences under which are scheduled offences under the National Investigation Agency Act, 2008 and hence investigation into the same ought to be conducted by the National Investigation Agency.
- VIII. Whether the State administration has completely failed in its duty to protect the lives of its citizens as enshrined in Article 21 of the Constitution of India.
- IX. Whether the inaction of the police authorities in failing to prevent the attack by the marauding Antisocial attackers upon the peaceful Shobha Yatris of Ram Navami clearly indicates the State sponsored nature of such attack.

- X. Whether the failure to prevent the communal attacks clearly indicates a complete failure in the law and order machinery in the State of West Bengal.
- XI. Whether no investigation conducted by the State police authorities will be impartial since from the actions of the police authorities themselves, the partisan nature of the police authorities is absolutely evident.

DISTRICT: HOWRAH

IN THE HIGH COURT AT CALCUTTA  
CONSTITUTIONAL WRIT JURISDICTION  
PUBLIC INTEREST LITIGATION  
APPELLATE SIDE

W.P.A.(P) No. 151 of 2023

In the matter of:

An application under Article 226 of  
the Constitution of India;

And

In the matter of:

Sri Suwendu Adhikari, son of Sri Sisir  
Kumar Adhikari, Member of  
Legislative Assembly, Leader,  
Bharatiya Janata Party, West Bengal  
Legislative Assembly, Kolkata -  
700001;

...Petitioner

-Versus-

1. The State of West Bengal,  
service through the Chief Secretary,  
Government of West Bengal, having

office at 325, Sarat Chatterjee Road,  
Nabanna, Shibpur, Howrah-711102.

2. Principal Secretary, Department  
of Home and Hill Affairs,  
Government Of West Bengal, having  
office at 325, Sarat Chatterjee Road,  
Nabanna, Shibpur, Howrah-711102.

3. Director General of Police, West  
Bengal, having office at Bhawani  
Bhawan, Kolkata- 700027.

4. Inspector-In-Charge, Shibpur  
Police Station, having office at 161,  
Grand Trunk Rd, Naora, Shibpur,  
Howrah, West Bengal 711102.

5. Commissioner of Police, Howrah  
Police Commissionerate, having  
office at 28, Nityadhan Mukherjee  
Road, Howrah-711101.

6. Inspector-In-Charge, Dalkhola Police Station, having office at Dalkhola, Uttar Dinajpur, Pin-733201.

7. Superintendent of Police, Uttar Dinajpur, having office at Raiganj, Pin-733130.

8. District Magistrate, Howrah, having office New Collectorate Building, 6, Rishi Bankim Chandra Road, 3rd Floor, Howrah, Pin - 711 101.

9. District Magistrate, Uttar Dinajpur, having office at Raiganj, Pin-733130.

10. Union of India, service through the Secretary, Ministry of Home Affairs having office at Central Secretariats Building , North Block, New Delhi- 110001 and also at 11, Strand Road, Kolkata- 700001.

11. Director General, Central Bureau of Investigation, having office at Plot No. 5B, 6<sup>th</sup> Floor, C.G.O Complex, Lodhi Road, New Delhi- 110003.

12. Director General, National Investigation Agency, a statutory body constituted under the provisions of the National Investigation Agency Act, 2008 having his office at CGO Complex, Lodhi Road, New Delhi - 110003.

13. Superintendent of Police (Kolkata Branch), National Investigation Agency, having office at IB-163, IB Block, Sector 3, Salt Lake City, Kolkata- 700106.

...Respondents

To

The Hon'ble T.S. Sivagnanam, Acting Chief Justice and His Companion Justices of the said Hon'ble Court.

The humble petition on behalf of the  
petitioner abovenamed most  
respectfully-

SHEWETH:

1. The petitioner is a peace loving and law abiding citizen of India, residing at the address as mentioned in the cause title hereinabove who is a public spirited person knocking the doors of justice for a common cause. The petitioner is an elected member of the West Bengal Legislative Assembly from Nandigram Assembly Constituency and is also the leader of opposition of the Legislature party of the Bharatiya Janata Party in the West Bengal Legislative Assembly. The petitioner being a public spirited person is before this Hon'ble Court to protect the interest of the general populace in the State of West Bengal who are living in an atmosphere of constant fear due to the deteriorating law and order situation in the State.

2. The respondent nos. 1 to 13 are State within the meaning of Article 12 of the Constitution of India and hence is amenable to the writ jurisdiction as enshrined in Article 226 of the Constitution of India.

3. The petitioner is moving the instant Public Interest Litigation as he does not have any personal interest in the *lis* and

on the contrary is espousing a cause whereby gruesome attacks were made on peaceful processions of Ram Navami by attackers belonging to the Antisocial community, at Howrah and Dalkhola (a town in the district of Uttar Dinajpur). The facts leading up to the present writ petition clearly shows how the law and order situation in the State of West Bengal has been completely demolished.

4. At this juncture, it is pertinent to bring on record certain germane facts which has culminated into the present *lis*:

a. On 30.03.2023, Hindus around the world celebrated Ram Navami, and such celebrations were held in the State of West Bengal. However, as has been the trend in the last couple of years in the State of West Bengal, such celebration was marred by violence due to the communal flagrations by anti-social elements perpetrated upon the peaceful participants of Ram Navami Processions at Howrah and Dalkhola (a town in the district of Uttar Dinajpur).

b. A Ram Navami Shobha Yatra was organized by the Biswa Hindu Parishad and the Anjani Putra Provision, Howrah. Every year the procession is organized by these two organizations and celebrated widely by Hindus staying in Howrah as well as all

over the State. Accordingly on 30.03.2023 the Shobha Yatra for Ram Navami organized by the abovenamed organizations was proceeding peacefully from Howrah Kazipara to Howrah Maidan and when the procession reached near Chara and PM Bustee, suddenly war broke out at the instance of Anti-social elements , who despite due police permission granted to the organizers to conduct the said Shobha Yatra, were prepared in a premeditated manner to attack the procession.

- c. Although, attack by the Anti-social elements on Ram Navami processions is a regular affair every year, however, the attack this year had crossed all limits of brutality. Severe stone pelting started from the roofs upon the participants of the Shobha Yatra in presence of the police and there is no doubt that it was preplanned organized attack upon the rally by the local Anti-social elements of the area.
- d. The stone pelting was followed by attack on the participants of the procession by the law breakers who were armed and there was constant bombing by them in presence of helpless police personnel.
- e. Information has also been received that many police personnel were also beaten up by the attackers and there was severe arson. A few houses were set on fire and many vehicles and cars

were vandalized and set ablaze. Photographs showing injury sustained by the participants of the Ram Navami Shobha Yatra as well as arson committed by the Antisocial attackers are annexed hereto and marked as Annexure -P1, furthermore, the petitioner craves the kind leave of this Hon'ble Court to refer and rely upon various videos showing the attack by Anti-social elements upon the peaceful participants of the Ram Navami Shobha Yatra, at the time of hearing, if necessary.

- f. The police remained a mute spectator and mobs of Anti-social elements were permitted to join the bandwagon of the law breakers from the Howrah - Pilkhana side as well as other nearby areas. It is also apposite to mention herein that not only were bombs hurled by the Antisocial attackers from the roof tops which included petrol bombs but also alcohol was thrown and such bottles were also thrown to ensure that the fire caused by the explosion of the bombs would get aggravated due to the presence of alcohol. Throwing of such alcohol served two purposes for such Antisocial attacker whereby they desecrated the holy Shoba Yatra and also ensured maximum damage from such bombs. Information has also been received that glass bombs were also hurled as a result of which the glass shrapnels injured a lot of the participants of the Ram Navami rally.

- g. It can be well concluded that the attack on the procession was the State sponsored one, appreciating the conduct of the police in tacitly perpetrating the violence on the Ram Navmi Shobha Yatra at Howrah. As a consequence, of the lackadaisical approach of the police authorities around 60 participants have been injured of which, as per information presently available, three are seriously injured and is presently battling for life.
- h. At this juncture, it may also be apposite to bring on record, the fact that over the last couple of years the law and order situation in the State of West Bengal has deteriorated completely and communal violence whereby Hindus are constantly attacked by Anti-social elements with the tacit approval of the State administration has become a regular affair in the State. As a matter of fact, Howrah district has been an epicenter for such vested communal violence. As a matter of fact, even adjoining areas of Howrah district such as Mominpur and Iqbalpur has witnessed communal riots of attacks upon Hindus by Anti-social elements had taken place during the eve of Kojagori Laxmi Puja in 2022. Judicial notice was taken of such violence and the investigation was directed to be conducted by the National Investigating Agency. In this regard, reliance is placed on the order dated 12.10.2022 passed in

W.P.A (P) 526 of 2022 (Niladri Saha -Vs- State of West Bengal & Ors.), a copy of which is annexed hereto and marked as Annexure -P2 and the news reports testifying such law and order situation in the State is annexed as Annexure - P3 collectively.

- i. Processions to celebrate Ram Navami was also taken out at Dalkhola in Uttar Dinajpur organized by the Dalkhola Ram Navami Utsav Committee. All necessary permissions from the concerned authorities were obtained by the organizers. On 30.03.2023, as scheduled, the Ram Navami Procession started from College More to Dalkhola Lokenath Para, when upon reaching Uttar Dalkhola, the peaceful participants of the Ram Navami procession were ambushed by attackers belonging to the Antisocial community, who started pelting stones and hurling bombs from rooftops and thereafter started attacking the participants of the Ram Navami procession with sticks and information have also been received that the attackers used knives, swords and machete.
- j. From the manner of the attack, whereby the attackers started pelting stones and hurling bombs from rooftops, it can be safely assumed that the entire attack was pre-planned and the only intention of the Antisocial attackers was to prevent the hindus

from celebrating their festival and create a communal tension. The Petitioner craves the kind leave of this Hon'ble Court to refer and rely upon the videos showing the procession of Ram Navami being attacked, at the time of hearing, if necessary.

- k. In the ensuing attack by the Antisocial marauders upon the peaceful hindu participants of the Ram Navami procession, approximately 130 odd hindus were injured, and as per reports, majority have sustained serious injuries. It is apposite to note here that from the videos and as well as the information available, the police authorities as was in Howrah, were mute spectators to the violence and made no attempt to prevent the Antisocial attackers from attacking the hindus who were participating in the Ram Navami procession. The uncanny similarity between the modus operandi of the attack at Howrah as well as Dalkhola is striking and only points at one inference that a conspiracy had been hatched by vested Antisocial interests with the tacit help of the state administration to spread communal hatred and not allow hindus to celebrate their festival.
- l. Such apprehension is born from the media reports of statements made by the Hon'ble Chief Minister of West Bengal and right after the incident, the Hon'ble Chief Minister of West

Bengal before even any preliminary enquiry being conducted, started blaming the peaceful participants of the Ram Navami Procession for the violence despite there being video proof of anti-social elements attacking the hindu participants of the procession. The most striking anomaly is the fact that even before the festival, the Hon'ble Chief Minister, as reported in the media, very specifically stated that there were chances of violence on Ram Navami. Thus, the state despite being aware of such intelligence, took no steps to prevent the same and allowed the marauding anti-social elements to wreak havoc on the peaceful participants of the Ram Navami procession. The concern here is not only about a certain community attacking another community, but rather general breakdown of law and order in the State of West Bengal, which is creating an alarming security lapse for every citizen in the state. Copy of the necessary press report is annexed hereto and marked as Annexure P-4.

- m. The Petitioner, being concerned about the safety and well being of all the citizens of the State of West Bengal, has communicated about the deteriorating law and order situation in West Bengal with His Excellency The Hon'ble Governor of West Bengal and the Hon'ble Home Minister of India. The copies of the correspondences sent by the Petitioner to His Excellency

the Hon'ble Governor of West Bengal and the Hon'ble Home Minister of India are annexed hereto and marked as Annexure P-5 and P-6, respectively.

- n. The partisan nature of the respondent police authorities would be evident from the fact that despite being the victims, the participants of the Ram Navami Shoba Yatra are being hounded and harassed by such police authorities and no action is being taken against the actual perpetrators of the crime.

5. The petitioner states and submits that there has been a complete breakdown in the law and order situation in the State of West Bengal.

6. The petitioner submits that there has been a consorted conspiracy hatched by various people with vested interests which is required to be investigated and such perpetrators be brought to book.

7. The petitioner submits that there has been a complete failure on the part of the State Government to protect its citizens.

8. The petitioner submits that a thorough investigation is required to be conducted by an impartial investigating agency to find out who were responsible for such attack.

9. The petitioner submits that the communal violence which has been perpetrated at the behest of Anti-social elements upon the peaceful Hindu participants of Ram Navami Shobha Yatra and the manner in which it was carried out clearly suggest that a larger conspiracy is at play here and the entire attack was premeditated only to ensure that Hindus are not allowed to celebrate their festival.

10. The petitioner submits that since bombs were hurled, the provisions of the Explosive Substances Act, 1908 will be attracted, and offences under which are scheduled offences under the National Investigation Agency Act, 2008 and hence investigation into the same ought to be conducted by the National Investigation Agency.

11. The petitioner submits that the State administration has completely failed in its duty to protect the lives of its citizens as enshrined in Article 21 of the Constitution of India.

12. The petitioner states and submits that the inaction of the police authorities in failing to prevent the attack by the marauding

Antisocial attackers upon the peaceful Shobha Yatris of Ram Navami clearly indicates the State sponsored nature of such attack.

13. The petitioner states and submits that the failure to prevent the communal attacks clearly indicates a complete failure in the law and order machinery in the State of West Bengal.

14. The petitioner submits that no investigation conducted by the State police authorities will be impartial since from the actions of the police authorities themselves, the partisan nature of the police authorities is absolutely evident.

15. The petitioner submits that for an impartial investigation into the larger conspiracy and to figure out the master minds behind such attacks the investigation ought to be conducted by the Central Bureau of Investigation.

16. The petitioner submits that as per the mandate of the National Investigation Agency Act, 2008 since unlawful activities have been carried out, hence offences under the Unlawful Activities Prevention Act, 1967 have been committed and hence the investigation is required to be done by the NIA.

17. The petitioner submits that from the manner in which the attack has been committed it is evident that organized crime groups may be involved which may also include terrorist organizations

which attacks the security of the entire national as a whole and hence it is imperative that a Central Investigating Agency is directed to carry out the investigation.

18. Being highly aggrieved by and thoroughly dissatisfied with the actions of the respondents as impugned herein, the petitioner begs to move the instant public interest litigation under Article 226 of the Constitution of India on the following amongst other :-

#### GROUNDS

- I. For that there has been a complete breakdown in the law and order situation in the State of West Bengal.
- II. For that the petitioner states and submits that there has been a complete breakdown in the law and order situation in the State of West Bengal.
- III. For that there has been a consorted conspiracy hatched by various people with vested interests which is required to be investigated and such perpetrators be brought to book.
- IV. For that there has been a complete failure on the part of the State Government to protect its citizens.

- V. For that a thorough investigation is required to be conducted by an impartial investigating agency to find out who were responsible for such attack.
- VI. For that the communal violence which has been perpetrated at the behest of Anti-social elements upon the peaceful Hindu participants of Ram Navami Shobha Yatra and the manner in which it was carried out clearly suggest that a larger conspiracy is at play here and the entire attack was premeditated only to ensure that Hindus are not allowed to celebrate their festival.
- VII. For that since bombs were hurled, the provisions of the Explosive Substances Act, 1908 will be attracted, and offences under which are scheduled offences under the National Investigation Agency Act, 2008 and hence investigation into the same ought to be conducted by the National Investigation Agency.
- VIII. For that the State administration has completely failed in its duty to protect the lives of its citizens as enshrined in Article 21 of the Constitution of India.
- IX. For that the inaction of the police authorities in failing to prevent the attack by the marauding Antisocial attackers

upon the peaceful Shobha Yatris of Ram Navami clearly indicates the State sponsored nature of such attack.

- X. For that the failure to prevent the communal attacks clearly indicates a complete failure in the law and order machinery in the State of West Bengal.
- XI. For that no investigation conducted by the State police authorities will be impartial since from the actions of the police authorities themselves, the partisan nature of the police authorities is absolutely evident.
- XII. For that for an impartial investigation into the larger conspiracy and to figure out the master minds behind such attacks the investigation ought to be conducted by the Central Bureau of Investigation.
- XIII. For that as per the mandate of the National Investigation Agency Act, 2008 since unlawful activities have been carried out, hence offences under the Unlawful Activities Prevention Act, 1967 have been committed and hence the investigation is required to be done by the NIA.
- XIV. For that from the manner in which the attack has been committed it is evident that organized crime groups may be involved which may also include terrorist organizations which

attacks the security of the entire national as a whole and hence it is imperative that a Central Investigating Agency is directed to carry out the investigation.

19. There is no other alternative, efficacious and speedy remedy available to the petitioner, the relief sought for, if granted, would afford adequate justice to the petitioner and the public at large. Unless the orders as prayed for herein are passed, the petitioners will suffer irreparable loss, prejudice, and injustice.

20. Even at present the situation at Howrah and Dalkhola is extremely tense and people are not coming out of their houses fearing for their lives and hence immediate intervention of this Hon'ble Court is warranted under Article 226 of the Constitution of India and considering the grave urgency in the matter, the formal compliance of the provisions of Rule 26 and 27 of the Rules relating to application under Article 226 of the Hon'ble Calcutta High Court is dispensed with.

21. The petitioner has been able to make out a prima facie case and the balance of convenience and inconvenience is in favour of the petitioner.

22. The petitioner has not moved this Hon'ble Court or any other Court on the self-same cause of action.

23. The petitioner is not guilty of any wilful delay or latches and/or negligence.

24. This petition is bona-fide and made in the interest of justice.

In the circumstances as aforesaid,  
Your petitioner most humbly prays  
that Your Lordships may  
graciously be pleased to:

a) Allow dispensation of the  
requirement of Rule 26 of the  
Rules relating to application  
sunder Article 226 of the  
Constitution of India as framed by  
this Hon'ble Court;

b) Issue a writ of and/or in the  
nature of Mandamus directing the  
Central Bureau of Investigation,

(CBI) to register a FIR into the act of violence, arson and communal conflagration at Howrah and Dalkhola on 30.03.2023 on the occasion of Ram Navami and thereafter, and conduct investigation into the same;

c) Issue a writ of and/or in the nature of mandamus directing the National Investigation Agency (NIA) to conduct investigation, inter alia, into the use of explosive substances in the violence, arson and communal conflagration in the Howrah and Dalkhola area in the State of West Bengal on 30.03.2023 on the occasion of Ram Navami and thereafter and determine the larger conspiracy behind such acts;

d) Issue a writ of or in the nature of Certiorari directing the respondents to produce the relevant documents in original pertaining to the instant case before this Hon'ble Court so that upon perusal of the same, conscionable justice may be rendered to your petitioner by quashing any decision which may have been taken which had resulted in such violence at Howrah and Dalkhola on 30.03.2023;

e) Issue such other writ or writs as this Hon'ble Court deem fit and proper.

f) Rule NISI in terms of prayers (b) to (e) above and to make the Rule absolute if no cause and or insufficient cause is shown in reply thereto;

g) An order directing deployment of Central armed police forces and/or the armed forces of the union across the district of Howrah and Uttar Dinajpur so that no untoward or violent acts take place.

h) An interim order directing the respondent no. 10 to immediately take action under Section 6 of the NIA act, 20298 including action under section 6(5) of the said Act of 2008 pertaining to the incidents of attacks perpetrated upon Ram Navami processions at Howrah and Dalkhola 30.03.2023;

i) An interim order directing the CBI to submit a report before this Hon'ble Court upon conducting an investigation pertaining to the incidents of violence and attacks

on Ram Navami processions at Howrah and Dalkhola on 30.03.2023;

j) Pass an interim order directing the respondent State authorities to ensure peace in the Sub-Division of Dinhata such that whatever violence transpired on 25.02.2023 is not repeated again;

k) Pass Ad-interim order in terms of prayers (g) to (i) as above;

l) Pass any order as to costs;

m) Pass such further order or orders as Your Lordships may deem fit and proper;

And for this act of kindness the petitioner as in duty bound shall ever pray.

## AFFIDAVIT

I, Suwendu Adhikari, son of Sri Sisir Kumar Adhikari, aged about- 51 years, by faith - Hindu, by occupation - Politician/Social Worker, being the Leader of the Bharatiya Janata Party, presently working for gain at Legislative Assembly, Kolkata - 700001 do hereby solemnly affirm and say as follows:

1. I am the petitioner herein and I am well acquainted with the facts and circumstances of the case. I am competent to make and affirm the instant affidavit.

2. That the statements made in paragraph nos. 1 to 3, 4(a), 4(h), 4(i), 4(k), 4(m), 4(h) of the petition are true to my knowledge, and those contained in paragraph nos. 4(b), 4(c), 4(d), 4(e), 4(f) are my information derived from records which I verily believe to be true and the rest are my humble submissions before this Hon'ble Court.

Prepared in my office

Sd/- *Suwendu Adhikari*  
Advocate

Enrolment No.F/5477/710/2018

Sd/-  
The Deponent is known to me

Clerk to Mr. K.L. Mukherjee

Advocate

Solemnly affirmed before me  
On this 31<sup>st</sup> day of March, 2023.

Sd/-

COMMISSIONER

I certify that all Annexures are legible

Sd/- *Suwendu Adhikari*  
Advocate

ANNEXUR - P/L

26



27





f.

29





ANNEXURE - 'P-2'

31

S/L 1  
12.10.2022  
Court. No. 28  
Stus.M/SA/  
tbsr/d.g.

**WPA (P) 526 of 2022**

**Niladri Saha  
Vs.  
The State of West Bengal & Ors.**

*Ms. Susmita Saha Dutta  
Mr. Debansu Das  
Mr. Rajarshi Basu  
Mr. Pradip Kr. Mondal*

*... for the Petitioner.*

*Mr. T.M. Siddiqui, Ld. AGP  
Mr. Santanu Mitra  
Mrs. P. Sengupta  
Mr. S. Chakraborty*

*... for the State.*

*Mr. Billwadal Bhattacharya, Id. Dy. S.G.I  
Mr. Debasish Tandon*

*..for the NIA*

*Mr. Rajendra Prasad Banerjee*

*...for the Union of India*

A communal conflagration in the city of Kolkata has prompted the filing of the two petitions seeking various reliefs.

Petitioners allege State Police administration remained silent spectators when communal violence flared in Ekbalpore - Mominpur area on the eve of Laxmi Puja. No steps were taken to ensure protection of life and property of the members of the Scheduled Caste community who were severally affected by the

riot. It is further alleged, adequate compensation has not been given to the victims of crime. Other restitutive measures have also not been taken. It is also contended though the incident involved throwing of bombs in the locality, requisite steps under the National Investigation Agency (NIA) Act, 2008 have not been taken.

Under such circumstances, it is prayed that Central Para Military Forces be forthwith deployed in the area to maintain peace and the investigation of the crimes be taken up by the National Investigating Agency.

Other prayers relating to providing compensation to victims, installation of CCTV Cameras in the area and preservation of CCTV footage of the incident have also been made.

Learned Counsels appearing for the petitioners argue there is gross apathy to conduct a fair and effective investigation into the acts of violence perpetrated upon members of the Scheduled Caste community. Inefficiency of the State Police is evident from the fact that the Police Station itself was attacked. Under similar circumstances, a Bench presided over by the Hon'ble Chief Justice had issued directions to the

State agencies to take assistance of Central Agency, if necessary, to restore peace and tranquility.

In response to the aforesaid submissions, a preliminary report is filed before us.

From the report it appears five criminal cases have been registered over the incident:-

1. Ekbalpore PS Case No. 479 dated 9.10.2022 u/s 153A/295A/506/120B, IPC read with Section 25/27 Arms Act,
2. Ekbalpore PS Case No. 480 dated 9.10.2022 u/s 147/148/149/152/353/427/307/34 IPC, 3 PDPP Act, 4/5/6 Explosive Substance Act, read with 25/27 Arms Act,
3. Ekbalpore PS Case No. 481 dated 10.10.2022 u/s 147/148/149/152/353/436/427/307/34 IPC, 3 PDPP Act, 4/5/6 Explosive Substance Act read with 25/27 Arms Act,
4. Ekbalpore PS Case No. 482 dated 10.10.2022 u/s 147/148/149/152/353/436/427/307/34 IPC, 3 PDPP Act, 4/5/6 Explosive Substance Act read with 25/27 Arms Act,
5. Ekbalpore PS Case No. 486 dated 11.10.2022 u/s 147/148/149/326 IPC.

Investigation of the cases is in progress, 42 persons have been arrested. 15 live bombs, 4 crude bombs and

34

other weapons have been seized. It is also noted in the report that the situation at present is peaceful. Police pickets have been set up in the area and Section 144 Cr.P.C. has also been promulgated in order to ward off any possibility of breach of peace and public tranquility. Report also discloses that investigation is being conducted by the local police authorities under the supervision of superior police officers. Steps are being taken to apprehend the miscreants who have been identified from the CCTV footages.

Perusal of the report shows three out of the five FIRs have been registered under the Explosive Substances Act.

In view of the aforesaid, this Court called upon the learned Counsel representing the State Government to clarify whether the State has complied with the requirements of Section 6 of the NIA Act, 2008 (hereinafter referred to as the Act of 2008). Section 6 of the Act, *inter alia*, casts a statutory duty upon the Officer-in-Charge of the Police Station where an FIR is registered in respect of any of the scheduled offences to forthwith forward a report to the State Government who in turn is required to forward a report to the Central Government as expeditiously as possible. Upon receipt of report, Central Government

may within 15 days thereof has to take a decision whether, keeping in mind the gravity of the offence and other relevant factors, it is a fit case to be investigated by NIA.

Mr. Siddiqui, learned counsel submits that the Officer-in-Charge, Ekbalpore Police Station had forwarded a report in terms of Sub-Section (1) of Section 6 of the Act of 2008 and the State Government, in its turn, has already sent intimation to the Central Government in terms of Sub-Section (2) of Section 6 of the NIA Act.

Report in that regard is kept on record.

In view of the aforesaid development, we are of the considered opinion, the issue whether the investigation of the cases involving Explosive Substances Act is to be taken over by NIA is to be considered by the Central Government in the first instance. Hence, we do not express any opinion in that regard at this stage.

With regard to the other prayers made by the writ petitioners, we note FIRs have been duly registered and investigation is in progress. However, as the offences giving rise to the aforesaid criminal cases relate to communal disharmony between communities and would require a sensitive approach

in the matter of investigation, we are of the considered opinion, the investigation of the cases be at present transferred to a superior investigating agency of the State Government.

Accordingly, we direct that the investigation of the cases be conducted by a special investigation team comprising of experienced police officers. The team shall be selected and headed by the Commissioner of Police, Kolkata.

Special Investigation Team shall conduct the investigation in an effective and efficient manner and take all necessary and prompt steps for preservation and analysis of electronic evidence including video footages of the incident. They shall take prompt measures for apprehension of the miscreants who are responsible for the commission of the offences.

In addition to the investigation of the cases, Commissioner of Police shall take necessary measures for prevention of similar offences and spread of communal hatred in the area.

This court takes note of the fact that police pickets have been stationed in the area. We direct that the police pickets be reinforced and lives and properties of the citizens be duly protected.

State Government shall ensure that communal harmony in the area is restored and all ameliorative measures are undertaken to instill feelings of harmony and fraternity amongst all sections of the society. Local communities shall cooperate with the government and the law enforcement agencies in that regard.

It is also necessary that the victims of crime are promptly and adequately compensated for the loss suffered. State shall take necessary steps in the matter.

If inhabitants of the locality have been displaced due to the communal disharmony, the government shall take immediate steps for their repatriation to the locality.

As the report submitted on behalf of the State records that the condition at present in the area is peaceful, we choose not to pass any order with regard to deployment of central forces for maintenance of peace and tranquility at present.

Comprehensive report shall be filed by the Commissioner of Police with regard to the following:-

- i) Progress in the investigation of the cases;

- ii) Law and order situation in the area and measures taken to prevent similar offences;
- iii) Steps taken to protect life and property of the victims.

State Government shall submit report disclosing the following: -

- i) Steps taken for compensation and/or rehabilitation of the victims of crime;
- ii) Measures to restore communal peace and tranquility in the area.

Reports shall be filed on the adjourned date.

The matter shall appear before the regular Bench two weeks after the vacation (i.e., on 14.11.2022).

(Apurba Sinha Ray, J.)

(Joymalya Bagchi, J.)

ANNEXURE - "P/3"

39

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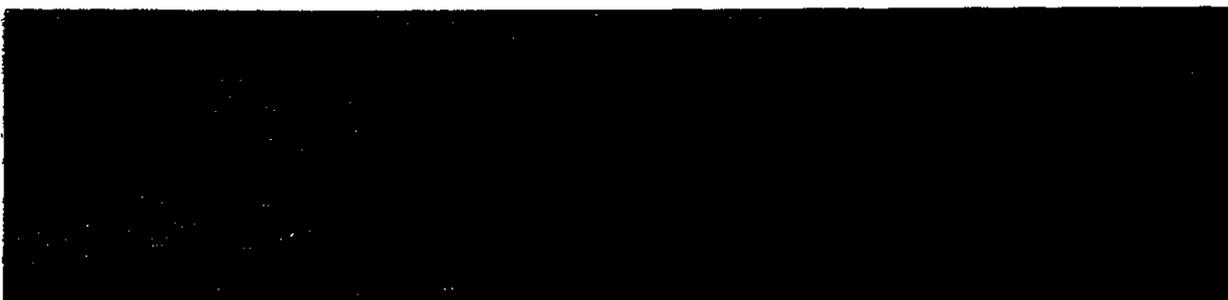
Home > India News > Noakhali Riots Redux: Hindu-Muslim Riots Break Out In Kolkata's Mominpur On Kojagari Lakshmi Puja; Police

INDIA

## Noakhali riots redux: Hindu-Muslim riots break out in Kolkata's Mominpur on Kojagari Lakshmi Puja; police absent

Communal tension erupted in West Bengal's Kolkata on Sunday night as two communities clashed resulting in the ransacking of Ekbalpur police station in the Mominpur area of the city.

FP Staff | October 10, 2022 10:31:19 IST



Screengrab from Twitter

**New Delhi:** Communal tension erupted in West Bengal's Kolkata on Sunday night as two communities clashed resulting in the ransacking of Ekbalpur police station in the Mominpur area of the city.

According to reports, clash erupted after a religious flag was allegedly torn by some miscreants during

~~the festival of Kojagari Lakshmi Puja~~



Following tensions between the two communities, a group of people surrounded Ekbalpore police station in protest against the violence.

As many as 20 people have been detained for causing a ruckus in the area apart from four arrests made on Sunday night, police said.

Reacting to the development, BJP leader Amit Malviya said that on Kojagari Lakshmi Puja, the heinous Noakhali riots also took place and now this was happening in Kolkata.

“Those who don’t learn from history are doomed to repeat it. On Kojagari Lakshmi Puja, the heinous Noakhali riots also happened, and now this is happening in Kolkata... Under Mamata Banerjee as Home Minister, Kolkata has become completely unsafe, communal riots have become common,” he tweeted along with the video of the violence.

**Watch: Violence erupts in Mominpur**

Amit Malviya   
@amitmalviya · Follow 

Those who don’t learn from history are doomed to repeat it. On Kojagari Lakshmi Puja, the heinous Noakhali riots also happened, and now this is happening in Kolkata... Under Mamata Banerjee as Home Minister, Kolkata has become completely unsafe, communal riots have become common...

Watch on Twitter



The Noakhali riots were a series of semi-organised massacres, rapes and abductions, combined with looting and arson of Hindu properties, perpetrated by the Muslim community in the districts of Noakhali in the Chittagong Division of Bengal (now in Bangladesh) in October–November 1946, a year before India's independence from British rule.

The massacre of the Hindu population started on 10 October, on the day of Kojagari Lakshmi Puja and continued unabated for about a week. It is estimated that 5,000 were killed, hundreds of Hindu women were raped and thousands of Hindu men and women were forcibly converted to Islam.

Slamming the state government, Malviya alleged that the Kolkata police abandoned the Ekbalpore police station on the orders of Mamata Banerjee.

perhaps on the orders of Ho.  
said in another tweeted.



ere on rampage, "Malviya"

42  
**Firstpost**  
Rajendra Pal Gautam

**New Delhi:** AAP leader Rajendra Pal Gautam, who resigned from ministership after a controversy erupted over a religious conversion event, on Monday hit out at the Prime Minister for failing to control crimes against Dalits in the country.

Gautam called Narendra Modi a weak PM and demanded his resignation and also of Uttar Pradesh Chief Minister Yogi Adityanath, over an incident of beating of a Dalit man by upper-caste men in UP.

Stop these casteist shoddy acts Narendra Modi ji. Otherwise you resign. Chief Minister of Uttar Pradesh is a complete failure in handling law and order. I know that you are such a weak Prime Minister that you can't even take resignation from him! You don't worry, my Bahujan Samaj will answer, Gautam said in a tweet in Hindi.

He also shared a purported video on his Twitter account which showed a few men abusing and assaulting a man. It has been alleged that the assaulters belonged to an upper caste and the victim was a Dalit.

Gautam, a former minister of Delhi's Social Welfare department, resigned from his post on Sunday amid a controversy that erupted after he was found attending a religious conversion event where Hindu deities were allegedly renounced.

The BJP had used the issue to attack AAP chief Arvind Kejriwal during the election campaigning in Gujarat and accused him of being "anti-Hindu."

~~Gautam, who was the Minister for Social Welfare, SC and ST, and Registrar of Co-operative Societies and~~



According to sources, Gautam

43  
The controversy erupted after a video from October 5 went viral showing Gautam at an event where hundreds took a pledge to convert to Buddhism and to not consider Hindu deities as gods.

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Home / India News / Politics / BJP Bengal chief and others held by police enroute clash-site in Kolkata's Mominpur

Last Updated: 10th October, 2022 16:10 IST

# BJP Bengal Chief And Others Held By Police Enroute Clash-site In Kolkata's Mominpur

BJP leaders were detained on Monday by the West Bengal police after tensions erupted in the Mominpur area between two communities on Sunday.

Written By Mahima Joshi



News Hub

Image: ANI

A day after violence and tensions erupted in West Bengal's Mominpur area as two communities clashed, West Bengal BJP chief Sukanta Majumdar was held in Chingrighata by the police on Monday.

The arrest came after he tried to reach the clash-affected area to visit the people who faced atrocities. In an exclusive interview with *Republic TV*, Majumdar informed that other

45

leaders, including BJP secretary Umesh Rai, ex-IPS officer and BJP leader RK Handa, were also "arrested" along with him.

Speaking to *Republic TV*, the state BJP chief said, "I have been arrested by the police. I was trying to reach the Mominpur area to meet the people who faced atrocities due to the clash between the two communities. The police were less active in the past 48 hours. But they arrested me along with over 30 other people on Monday."

READ | West Bengal: YouTuber held for creating 'derogatory' memes on CM Mamata; 7 others booked

"I have no clue on which charges I have been arrested. The police are saying that they arrested us as we were trying to enter the Mominpur area. I even asked them whether Section 144 was imposed or not, and they are answerless," Majumdar said, adding, "Along with me, West Bengal BJP secretary Umesh Rai, ex-IPS officer RK Handa and other BJP leaders and workers have been arrested. Presently, we are at the Laalbazar, i.e., the headquarters of the Bengal police."

READ | People no longer listen to Durga Puja songs, rues West Bengal minister Babul Supriyo

"Since the past 48 hours, the minorities in the Mominpur area of West Bengal are being beaten up. They are homeless now. We have given enough time to the police, but they (the police) were helpless and surrendered in front of the rioters," he added.

READ | West Bengal 'post-poll violence' depicted at Kolkata's Durga Puja pandal

**“** *#BREAKING | West Bengal BJP chief Sukanta Majumdar speaks to Republic after he was detained on his way to Mominpura area in suburbs of Kolkata that witnessed violence yesterday - <https://t.co/2riJHpuhUV> pic.twitter.com/i2L9pT546W*

— Republic (@republic) October 10, 2022 **”**

## Suvendu Adhikari demands CRPF deployment in West Bengal

West Bengal's Leader of Opposition Suvendu Adhikari on Monday demanded the deployment of central forces in the state in the wake of the Mominpur violence.

Addressing letters to Union Home Minister Amit Shah and West Bengal Governor La Ganesan, Adhikari contended that

46

the CRPF will ensure that the spark can be extinguished before it turns into a wildfire. Further claiming that the Mamata Banerjee-led government is unable to control law and order, he said that some miscreants have taken over the Ekbalpur Police Station.

READ | Suwendu Adhikari demands CRPF deployment in WB over Mominpur violence; writes to HM & Guv

"The Hindu community has come under attack in the Khirdipore Mominpur area of Kolkata on the eve of Lakshmi Puja. Many shops and bikes belonging to Hindus have been vandalised by hooligans and anti-socials. The onslaught has similarities to the Panchla violence which happened in June in the Uluberia area of the Howrah district," Adhikari said.

“ I have written to Hon'ble Union Home Minister Shri @AmitShah Ji & Hon'ble Governor Shri La Ganesan Ji requesting them to urgently deploy Central Forces in the wake of Mominpur violence & ransacking of Ekbalpur Police Station before the Law & Order situation of WB gets out of hand pic.twitter.com/yr3IB1MaJB ”

— Suwendu Adhikari - শুভেন্দু অধিকারী (@SuwenduWB) October 9, 2022

News Hub

First Published: 10th October, 2022 13:53 IST

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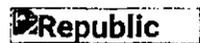


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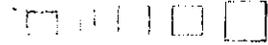
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As Kejriwal lauds closure of case against AAP Min Satyendar Jain, BJP fact-checks claim

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Mominpur violence: BJP leader Suwendu Adhikari writes to HM, Guv, demands urgent CRPF deployment in Kolkata

# Mominpur violence: BJP leader Suwendu Adhikari writes to HM, Guv, demands urgent CRPF deployment in Kolkata

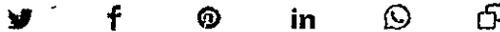
Mominpur violence: With the BJP leader Suwendu Adhikari's letter for CRPF deployment in Kolkata, the political battle has intensified between BJP and TMC in West Bengal. It seems Mominpur violence became the latest flashpoint between the two embattling sides.



Edited By: Raju Kumar [@rajudelhi123](#)

Kolkata

Updated on: October 10, 2022 8:33 IST



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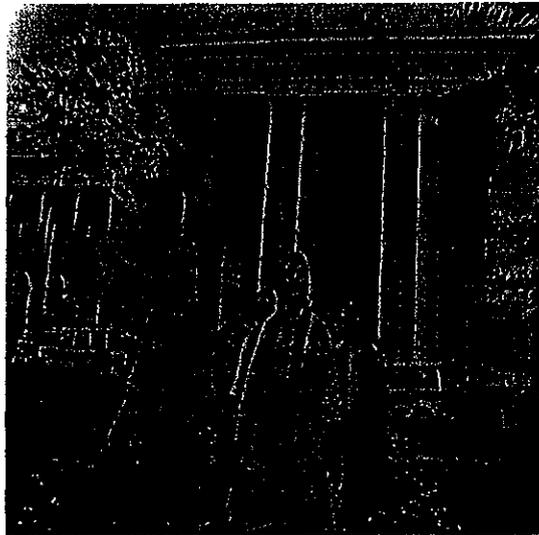


Image Source : PTI

Members of Hindu community came under attack in Kolkata on eve of Lakshmi Puja, claims Adhikari's letter

## HIGHLIGHTS

Tension gripped Bengal's Mominpur after the violence

With the Adhikari's letter to HM, BJP Vs TM political better heats up further

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In 2017, Mamata Banerjee had alleged that CRPF deployment took place without state's consent

Senior User

**Mominpur violence:** Leader of Opposition West Bengal Suwendu Adhikari on Sunday wrote to Union Home Minister Amit Shah requesting "urgent deployment of Central forces in the wake of Mominpur violence and ransacking of Ekbaipur police station to contain law and order situation.

"I have written to Hon'ble Union Home Minister Shri @AmitShah Ji & Hon'ble Governor Shri La Ganesan Ji requesting them to urgently deploy Central Forces in the wake of Mominpur violence & ransacking of Ekbaipur Police Station before the Law & Order situation of WB gets out of hand," tweeted BJP leader.



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“

"I am compelled to write this letter to you at this hour because the gravity of the situation has prompted this urgency. The Hindu community has come under attack in the Khidirpore Mominpur area of Kolkata on the eve of Lakshmi Puja. Many shops and bikes belonging to Hindus have been vandalised by hooligans and anti socials. The onslaught has similarities to the Panchia violence which happened in June in the Uluberia area of the Howrah district. At that time the violence spread across West Bengal, especially in the Nadia & Murshidabad districts," the letter reads.

dhikari wrote he apprehended that as the West Bengal Government is reluctant to act against the perpetrators this time as well, as because they belong to a certain community, this time too this may flare up and start to spread across the state resulting in loss of lives and property; both Public & Private.

Ents. Ur!

The State Government has already meekly surrendered in front of the wrath of the goons, who have taken over the Ekbalpur Police Station, he added.

50

If morning shows the day, then the day definitely is gloomy. Kindly find annexed video of the incident as well as some footage of the vandalism.

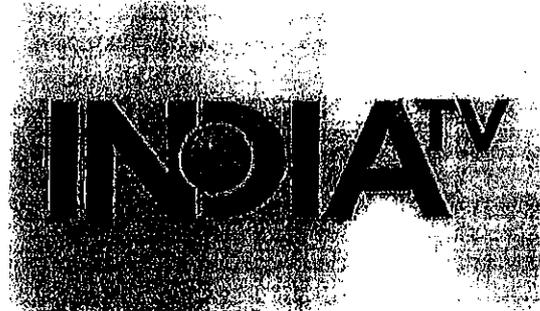


Image Source : @SUVENDUWB/TWITTER

*BJP leader Suwendu Adhikari's letter*

"So, I urge you to kindly intervene at this hour and deploy Central forces such as the CAPF (Central Armed Police Forces), so that the spark can be extinguished before it turns into a wildfire. The State Government seems to be unable to control the Law & Order, also they lack the appetite to do so as it affects their electoral prospects negatively," his letter further mentioned.

"Kindly act on the situation as soon as possible so that the peace loving Hindu community is protected, especially those who live in locations where they are in minority as per the demography of the area," it reads.

BJP leader Amit Malviya tweeted, "On Sharad Purnima, when Bengali Hindus celebrate Kojagari Lakshmi Puja, Mominpura, a suburb of Kolkata, is witnessing communal violence. Kolkata police abandoned the Ekbalpore police station, perhaps on the orders of Home Minister Mamata Banerjee, while Islamists were on rampage."

"Those who don't learn from history are doomed to repeat it. On Kojagari Lakshmi Puja, the heinous Noakhali riots also happened, and now this is happening in Kolkata...Under Mamata Banerjee as Home Minister, Kolkata has become completely unsafe, communal riots have become common...," his another tweet reads

“

10/11/22, 8:44 AM

Mominpur violence: BJP leader Suwendu Adhikari writes to HM, Guv. demands urgent CRPF deployment in Kolkata | India ...

Also Read: Mamata Banerjee tries her hand at 'dhak' at Durga Puja pandal in Kolkata

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VIOLENCE IN BENGAL

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TMC

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रामनवमी के जुलूस को लेकर ममता बनर्जी का बड़ा बयान, कहा- किसी मुस्लिम के घर हमला हुआ तो छोड़ूंगी नहीं



India TV Hindi - 18h



ANNEXURE - ' P-15 ' 54

30/23, 11:33 PM

Gmail - Request for urgent intervention of His Excellency to control the deteriorating Law and Order condition of Shibpur; Howra...



Suwendu Adhikari <adhikarisuwenduwb1@gmail.com>

**Request for urgent intervention of His Excellency to control the deteriorating Law and Order condition of Shibpur; Howrah and Dalkhola; Uttar Dinajpur, where violence has erupted due to inefficiency of West Bengal Police in providing safe passage to Ram Navami processions.**

1 message

Suwendu Adhikari <adhikarisuwenduwb1@gmail.com>

Thu, Mar 30, 2023 at 11:33 PM

To: Governor of West Bengal <governor-wb@nic.in>, secy-gov-wb@nic.in

Your Excellency,

Please see the attached files.....!!!!!!

With highest regards,

**6 attachments**

-  Letter to Honble Governor as on 30 March 2023.pdf  
176K
-  Howrah Shibpur 7.mp4  
1629K
-  Howrah Shibpur 5.mp4  
2313K
-  Howrah Shibpur 8.mp4  
2555K
-  Dalkhola, Uttar Dinajpur.mp4  
4474K
-  Howrah Sibpur 1.mp4  
8961K

**SUVENDU ADHIKARI**  
LEADER OF THE OPPOSITION  
LEGISLATIVE ASSEMBLY  
WEST BENGAL  
KOLKATA



Office : Ph. : 2248-2233 (direct) 2253-3113/2253-3115  
Fax : 033-2248 9469  
Mail id : adhikarisuvenduwb1@gmail.com  
Whats App (Only) : 9733064595

SS

021/LOP/SL/2023

Date: 30 March 2023

To  
His Excellency Shri C V Ananda Bose  
Hon'ble Governor of West Bengal  
Raj Bhawan, Kolkata – 700062

**Subject : Request for urgent intervention of His Excellency to control the deteriorating Law and Order condition of Shibpur; Howrah and Dalkhola; Uttar Dinalpur, where violence has erupted due to inefficiency of West Bengal Police in providing safe passage to Ram Navami processions.**

Your excellency,

I hope this letter finds you well. Kindly accept my regards.

On the auspicious occasion of Shree Ram Navami, hundreds of peaceful processions were taken out across West Bengal today. The West Bengal Police had given permission for each & every procession after assessing the arrangements regarding the same. The local Police were previously intimated about the routes and other necessary details.

Unfortunately two incidents of violence have marred the celebratory mood of the State. One has taken place in the Shibpur Police Station area; under the Howrah Police Commissionerate and the other in the Dalkhola Police Station area; under the Islampur Police District.

It's astonishing that the Police could not make adequate arrangements for the smooth passage of the processions. Their inability led to this mindless violence. In fact last year also similar violence had erupted in the Shibpur area. The Howrah Police Commissionerate failed miserably to realise the sensitivity of the area and this time too could not control the rioters even after last year's incident was an eye opener.

Sadly, violence has engulfed these areas and the lives of people living in and around these areas are under threat.

I urge you to take stock of the situation immediately and if you deem fit that the State Administration and the West Bengal Police are not coping up well with the gravity of the situation and are falling short in reigning in the Law & Order condition, then you should at this very instant get involved in seeking Central assistance.

(Contd....P/2)

56

It would be great if you kindly instruct the Chief Secretary to immediately establish communication with the Union Home Ministry and seek deployment of Central Armed Police Force or Central Reserve Police Force, so that the situation is brought under control as early as possible so that the loss of lives and limbs are avoided and public and private properties could be saved from the rioting and arson.

With highest regards,

Yours sincerely,



(Suvendu Adhikari)

**Suvendu Adhikari, MLA**  
**Leader of the Opposition**  
**W. B. Legislative Assembly**

ANNEXURE - ' P- 6 ' 57

3/30/23, 11:39 PM

Gmail - Request for urgent intervention to control the deteriorating Law and Order condition of Shibpur; Howrah and Dalkhola; Ut...



Suwendu Adhikari <adhikarisuwenduwb1@gmail.com>

**Request for urgent intervention to control the deteriorating Law and Order condition of Shibpur; Howrah and Dalkhola; Uttar Dinajpur, where violence has erupted due to inefficiency of West Bengal Police in providing safe passage to Ram Navami processions.**

1 message

**Suwendu Adhikari** <adhikarisuwenduwb1@gmail.com>  
To: hm@mha.gov.in

Thu, Mar 30, 2023 at 11:38 PM

Most Respected Hon'ble Amit Shah ji,

Please see the attached files.....

With profound regards,

**5 attachments**

-  Letter to Hon'ble Home Minister as on 30 Mar 23.pdf  
538K
-  Howrah Shibpur 7.mp4  
1629K
-  Howrah Shibpur 5.mp4  
2313K
-  Howrah Shibpur 8.mp4  
2555K
-  Howrah Sibpur 1.mp4  
8961K

**SUVENDU ADHIKARI**  
LEADER OF THE OPPOSITION  
LEGISLATIVE ASSEMBLY  
WEST BENGAL  
KOLKATA



Office : Ph. : 2248-2233 (direct) 58  
2253-3113/2253-3115  
Fax : 033-2248 9469  
Mail Id : adhikarisuvenduwb1@gmail.com  
Whats App (Only) : 9733064595

022/LOP/SL/2023

Date: 30 March 2023

To  
Respected Shri Amit Shah  
Hon'ble Union Home & Co-operation Minister  
Ministry of Home Affairs  
Govt. of India  
North Block, New Delhi - 110001

**Subject - Request for urgent intervention to control the deteriorating Law and Order condition of Shibpur; Howrah and Daikhola; Uttar Dinajpur, where violence has erupted due to inefficiency of West Bengal Police in providing safe passage to Ram Navami processions.**

Most Respected Hon'ble Amit Shah ji,

Hope this letter finds you well. Kindly accept my pranam.

I am compelled to write this letter to you due to my concern regarding the deteriorating condition of the Law & Order in few pockets of West Bengal.

On the auspicious occasion of Shree Ram Navami, hundreds of peaceful processions were taken out across West Bengal today. The West Bengal Police had given permission for each & every procession after assessing the arrangements regarding the same. The local Police were previously intimated about the routes and other necessary details.

Unfortunately two incidents of violence have marred the celebratory mood of the State. One has taken place in the Shibpur Police Station area; under the Howrah Police Commissionerate and the other in the Dalkhola Police Station area; under the Islampur Police District.

It's astonishing that the West Bengal Police could not make adequate arrangements for the smooth passage of the processions. Their inability led to this mindless violence. In fact last year also similar violence had erupted in the Shibpur area. The Howrah Police Commissionerate failed miserably to realise the sensitivity of the area and this time too could not control the rioters even after last year's incident was an eye opener.

(Contd....P/2)

Sadly, violence has engulfed these areas and the lives of people living in and around these areas are under threat.

I urge you to take stock of the situation immediately and if you deem fit that the State Administration and the West Bengal Police are not coping up well with the gravity of the situation and are falling short in reigning in the Law & Order condition, then you must consider getting involved and provide Central assistance.

It would be great if you kindly instruct any Secretary level Officer of your Department or any competent Officer as you deem fit to seek urgent report from the Chief Secretary of West Bengal regarding the aforementioned situation.

In my opinion to control the incidents on the ground, deployment of Central Armed Police Force or Central Reserve Police Force is very much necessary, so that the grave situation is brought under control as early as possible so that the loss of lives and limbs are avoided and public and private properties could be saved from the rioting and arson.

With profound regards,

Yours sincerely,



(Suvendu Adhikari)  
**Suvendu Adhikari, MLA**  
**Leader of the Opposition**  
**W. B. Legislative Assembly**

Leave is granted  
by the Honble Justice  
T.S. Sivagnanam, Acting  
Chief Justice and The Honble  
Justice Hemamoy Bhattacharya to  
file this writ petition to be listed as on  
03.04.2023.

(S. (MCO)  
3/03/23

Full Sign. with date: Suryaneel Das  
(Full No. with date): 104

Suryaneel Das  
Advocate / Clerk  
M-8902268134

Received  
Suryaneel Das  
3/13/23  
Ld. Govt. PLEADERS OFFICE

DISTRICT: HOWRAH

IN THE HIGH COURT AT CALCUTTA  
CONSTITUTIONAL WRIT JURISDICTION  
APPELLATE SIDE

W.P.A.(P) NO. 151 OF 2023  
In the matter of:-  
An Application under Article 226 of the  
Constitution of India;

And  
In the matter of:  
Suvendu Adhikari  
.....Petitioner  
Versus  
The State of West Bengal and Ors.  
.....Respondents

WRIT PETITION

SURYANEEL DAS  
Advocate  
High Court, Calcutta  
33K Manoharpukur Road,  
Kolkata- 700 029  
Mob : 8902268134  
Email : [suryaneeld@gmail.com](mailto:suryaneeld@gmail.com)  
Enrolment No.F/5477/710/2018