

MOST RESPECTFULLY SHOWETH :**This Writ Petition is being filed in Public Interest, to
(Constitutional Provisions)**

- 1) The present petition is being filed in public interest, to urge protection of citizen's – Right to Equality before law (ARTICLE-14); Right to Carry on Business (ARTICLE-19) and Right to Life (ARTICLE-21) by seeking writ(s) / direction(s) towards making it mandatory to – collect subscriptions towards any religious cause, from within members of Government registered bodies like – society, trust and other forms of Government registered non profit seeking entities and from non members, only voluntary through various forms of advertisement only in public facilities like – newspaper displays, road shows etc. but not by approaching door to door individually or in groups, because non adherence to the implementation being sought, gives considerable opportunity to the criminally inclined, to indulge in criminal activities like – extortion, threatening, committing

financial frauds, snatching, misappropriation, kidnapping, grievous injury, murder and many other forms of criminal actions related to forceful collection of subscription in name of religious causes. Further any form of in-person approach, by ensuring person to person interaction creates unnecessary pressure on the targeted donor and at most of the times results in some form of threat being issued and an extortion being made.

- 2) That the respondent is State of West Bengal, through – Secretary - Ministry of Home (Writers' Building, Kolkata-700001).
- 3) That the petitioner has not filed any other similar writ petition either before this Hon'ble Court or before any other High Court in India, seeking relief under Article (226).

- 4) That the petitioner has not filed any other similar writ petition either before this Hon'ble court or before any other High Court in India.
- 5) The need of the petition arises out of, the manner in which there has been a remarkable surge in organizing religious festivities all across the length & width of the nation, it has attracted lot of people who are interested in making quick money by engaging in criminal acts of all forms, be it

defrauding or threatening or by all forms of extortion, which may also include causing grievous injury or even death and all this aided by a weak security apparatus which is evident by the nation having one of the lowest police to population ratio among all nations of the Globe, topped up by a poorly equipped police force and a dismal sanction to allocation ratio of police personnel.
- 06) The petitioner is a public spirited citizen and seeks remedy from the temple of justice, whenever he

finds that the fundamental rights of a large segment of society are being denied. His findings are either by virtue of his personal experience or through interaction with suffering entities or through media articles. He benefits from the intended positive outcome, same way as a fellow citizen who is experiencing the negative fall out of the non incorporation of the remedy sought or also by deriving satisfaction, by ensuring the grant of constitutional rights, to the aggrieved section of society. Following are the humble petitions of the petitioner on which the Hon'ble Supreme/High Court of India has issued judgments/orders –

- a) Petition to verify the postal address of applicants for pre paid mobile connections - since they are most pro actively serving as a facilitator, for those criminally inclined including terrorist. The petition was admitted in - September,10 and a judgement delivered on (27/04/12) instructing the formation of

a committee which will include the chairperson of D.O.T. and (02) individuals each from D.O.T. and T.R.A.I. which will finalize verification norms keeping the security angle to be primary, including the proposal to deliver S.I.M. cards by post. Case no. 285 of 2010, in the court of Chief Justice of India. Petitioner – Mr. Avishek Goenka.

b) Petition to ban black films in glasses of vehicles - since they too serve as a catalyst for criminal activities including terrorism. The petition was admitted in - July,11 and judgement delivered on (27/04/12) with instructions to ban black films on glasses of vehicles, however glasses adhering to the visibility norms defined in motor vehicles act. can be manufactured by the manufacturer but no external film can be pasted on the glass.

Case no.265 of 2011, in the court of Chief Justice of India. Petitioner – Mr. Avishek Goenka.

c) Notice has been issued on (12/12/2012) to the Ministry of Health & Aiims. In the petition to ensure availability of – medicines, surgical inputs, implants, orthotic & prosthetic devices at (56%) discount on Mrp. – as because of the prevailing poverty in the nation & availability of a time tested model with Aiims. New Delhi.

Case no. 459 of 2012, in the court of Justice Mr. G. S. Singhvi & Justice Mr. S. J. Mukhopadhaya. Petitioner – Mr. Avishek Goenka.

d) On (26-08-2013) the Hon'ble Court has forwarded the certified copy of order for information, compliance and necessary action, in the matter of effective Population control measures – asking the respondents to consider the, writ petition as a representation of the petitioner. Further the ministry can take into consideration, as to whether any of the suggestion made by the petitioner, can be accepted and enforced.

Case no. 463 of 2013, in the court of Justice Mr. B.S. Chauhan & Justice Mr. S.A. Bobde. Petitioner – Mr. Avishek Goenka.

e) Petition to execute RTI. by Post Box - since once the identity and address of the applicant is revealed, the wrong doers at the receiving end, threaten and even attack the RTI. applicant. The judgement was delivered on (20-11-2013) with instructions to allow RTI. queries from Post Box.

Case no. 33290 of 2013, in the court of Justice Mr. Asim Banerjee & Justice Mr. Debangsu Basak.
Petitioner – Mr. Avishek Goenka.

7) 27/06/2010 As per report published in Kolkata Edition of Telegraph, The Indian Police Journal, published by the Bureau of Police Research and Development states that - crime statistics are lower than incidence because policemen are reluctant to register F.I.R. The study was conducted in North Bengal by the Superintendent of Police and reflected that the number of recorded cases of crime went up by more than (400%) after registration of F.I.R.S was made mandatory. Hence it can be very well be concluded that the actual nos. of criminal cases with relation to the collection of subscription by forced

means are by far more than those actually reported. Copy of Report dated (27/06/2010) published in Kolkata Edition of Telegraph is annexed as ANNEXURE P-1. PAGES 80 TO 83.

- 8) 04/10/2010 An article in, Times Of India – “Elderly resident assaulted over puja subscription” !! The article said about, that how an elderly man named – Binoy Sen, was

allegedly beaten up by members of a club at Phoolbagan, after residents of a housing complex refused to pay the quoted amount of Rs. (3000) against a payment of Rs.(1200) in (2009). The incident promptly reflects that the criminally minded donation seekers do not have any sympathy even for the elderly who are limited by physical constraints and are aged citizens who invariably command respect in the Indian society. Copy of Report dated 04/10/2010 published in Kolkata Edition of Times of India is annexed as ANNEXURE P-2. PAGES 84 TO 85.

9) 06/10/2010 An article in, The Telegraph – “Puja thugs lock up teachers” !! The article said about, that how (35) teachers including (10) women, were locked up in their East Midnapore school for (04) hours and some of them beaten up too, by the members of a local club numbering around (50) who demanded a puja subscription of Rs.(12000). What was worse that a teacher whose mother had died was also kept confined. Even the mobile phones of the teachers were snatched. The incident promptly reflects that the criminally minded donation seekers do not have any sympathy and respect even for the school teachers who invariably command huge respect in the Indian society. Further they are so hard hearted that even the plight of someone whose mother has died does not move them. Copy of Report dated 06/10/2010 published in Kolkata Edition of Telegraph is annexed as ANNEXURE P-3. PAGES 86 TO 88.

10) 10/10/2010 An article in, Times Of India – “We love puja, but ... hate the last lap to it” !! The article said about, that among the reasons for

which residents of Kolkata want to stay away during puja's was also the – chanda troubles as because the stream of chanda seekers, who not only burn the hole in the pockets but also harass ordinary people. The incident promptly reflects that how the society views forcible collection of subscription as a social evil. Copy of Report dated 10/10/2010 published in

Kolkata Edition of Times of India is annexed as ANNEXURE P-4. PAGES 89 TO 90.

- 11) 19/10/2010 An article in, The Telegraph – “Big puja hits small fries in Ganga ” !! The article said about, that how uncontrolled growth in number of puja's being organised and the trend to immerse idols which are coloured with toxic paints only in the river Ganges, is resulting in poisoning of the scarce natural resource, hence resulting in death of fishes and endangering other forms of fresh water aquatic life and also posing a grave danger to the human beings using the river water both for bathing and drinking. Copy of Report dated 19/10/2010

published in Kolkata Edition of Telegraph is annexed as ANNEXURE P-5. PAGES 91 TO 95.

- 12) 20/10/2010 An article in, The Telegraph – “Attack for chanda delay” !! The article said about, that how post puja immersion a resident in Belegkata – Nitin Lakhotia an ordinary employee of a share trading firm, was beaten up with rods and

bamboo sticks, after the cheque he gave to the puja organisers under duress had bounced. The incident promptly reflects that how far those seeking donation can go in event of their demands not being met. Copy of Report dated 20/10/2010 published in Kolkata Edition of Telegraph is annexed as ANNEXURE P-6. PAGES 96 TO 98.

- 13) 20/10/2010 An article in, Times Of India – “Duo thrashed over puja donation” !! The article said about, that how post puja immersion a resident in Belegkata – Nitin Lakhotia an ordinary employee of a share trading firm, was beaten up with rods and bamboo sticks, after the cheque he gave to the puja organisers under duress had bounced. The incident

promptly reflects that how far those seeking donation can go in event of their demands not being met. Copy of Report dated 20/10/2010 published in Kolkata Edition of Times of India is annexed as ANNEXURE P-7. PAGES 99 TO 101.

14) 23/10/2010 An article in, The Telegraph – “Cops plan chanda crackdown” !! The article said about, that receipts books of Kali puja organisers, who obtained permission from Kolkata police would be stamped. However despite the best intentions the police seems to have committed a serious flaw, as because the puja organisers would use this stamp of approval, to demand more money from the ordinary residents. Copy of Report dated 23/10/2010 published in Kolkata Edition of Telegraph is annexed as ANNEXURE P-8. PAGES 102 TO 103.

15) 28/10/2010 An article in, The Telegraph – “Chanda clash” !! The article said about, that how (6) men have been arrested in Bally and section (144) clamped in area surrounding Bally Jute Mill, after

supporters of (2) local clubs clashed over collection of chanda for Kali puja. The (02) groups allegedly hurled bombs at each other and only after the deployment of a huge police contingent, the situation could be brought under control. This

incidents points out that professional criminal gangs have entered into organising of puja's and such is the source of surplus funds by organising puja's, that they also land up into turf war. Copy of Report dated 28/10/2010 published in Kolkata Edition of Times of India is annexed as ANNEXURE P-9. PAGE 104.

- 16) 04/11/2010 An article in, The Telegraph – “Puja cash triggers mowdown” !! The article said about, that how a cyclist was mowed by a truck who tried to speed past youths – forcibly collecting Kali puja subscription on a road on the outskirts of Durgapur. The article also said that – the youths had been stopping trucks since morning to collect chanda for Kali puja. The incident promptly reflects that how

terrorized are the men behind the wheel that they fear stopping the vehicle than to crush someone trying to stop it during the puja season. It is extremely rare for a driver to willingly kill someone unless he is helpless about the situation.

Copy of Report dated 04/11/2010 published in Kolkata Edition of Telegraph is annexed as ANNEXURE P-10. PAGES 105 TO 107.

- 17) 13/11/2010 An article in, The Telegraph – “Foreigner lives in festive fear” !! The article said about, how a French national – Jean Frederic Chevallier and his wife Sukla Bar Chevallier had been threatened for Kali puja subscription in Bansdroni in Kolkata. The article also said about that the troubles for the couple started after they had shifted to the new apartment on (03/10/2009) and reached it’s pick when on (06/11/2010) when (30) young men crowded for demanding chanda. The men also assaulted the French national. The article also said that the similar strategy to terrorise was being used on other occupants of the building. The incident promptly reflects that how even foreign nationals who carry the

reputation of the country abroad and ought to be respected as a guest of the nation do not stand spared by the bunch of most criminally inclined

individuals. Copy of Report dated 13/11/2010 published in Kolkata Edition of Telegraph is annexed as ANNEXURE P-11. PAGES 108 TO 111.

- 18) 20/11/2010 An article in, The Telegraph – “Pay chanda or face chopper” !! The article said about, how a Howrah club gang had slashed the hand of young man – Dinesh Parrek, with a meat chopper and he had to under go (19) stiches on his left hand, while he was trying to protect a trader who had refused to pay up - the organisers of a club organising – Jagaddhartri Puja, who had demanded Rs. (3000) from him. The incident promptly reflects that what kind of organizations are involved in the activity of forceful collection of subscriptions and how far they can go to realize their criminal intentions. Copy of Report dated 20/11/2010 published in Kolkata Edition of Telegraph is annexed as ANNEXURE P-12. PAGES 112 TO 114.

19) 03/12/2010 An article in, Times Of India –
“French national hounded out of home" !! The article

said about, how a French national – Jean Frederic Chevallier and his wife Sukla Bar Chevallier had been threatened for Kali Puja subscription in Bansdroni in Kolkata. The article also said about that the troubles for the couple started after they had shifted to the new apartment on (03/10/2009) and reached it's peak when on (06/11/2010) (30) young men crowded for demanding chanda. The men also assaulted the French national. The article also said that the couple had to leave the flat owned by them and look for a rented accommodation, to avoid facing the goons who were behind the French couple, for reporting the matter to the police.

The incident promptly reflects that how even foreign nationals who carry the reputation of the country abroad and ought to be respected as a guest of the nation do not stand spared by the bunch of most criminally inclined individuals. Copy of Report dated 03/12/2010 published in Kolkata Edition of Times of

India is annexed as ANNEXURE P-13. PAGES 115 TO 118.

20) 06 & 07/12/2010 The following RTI. Queries were initiated

A] How many incidents of crime have been reported, with regards to forceful collection of subscription, in name of religious cause, in last ten years ??

B] How many entities have been given permission for, organising religious ceremonies, in calendar year (2009) & (2010-till date) ??

C] Is there any pro active system of tracking entities who collect subscriptions, without obtaining any clearance as required by law and if yes, how many such cases have been registered, by the relevant law enforcement agency, without any complain being lodged, by members of common public or trade associations ??

D] Why is permission to organise and collect funds for, such religious festivities, not limited to members of the entities like, societies or trust and entities, are allowed to conduct collection drives from the citizens who are non members ??

E] Do entities apart from societies, trusts and co operatives, are entitled to organise such religious festivities and added fund collection drives ??

F] Is there an existence of any system to check the back ground of office bearers and members, of such entities, as to whether they have a criminal past ??

G] Of the reported cases, of violation of law by such above mentioned entities, in how many cases, charge sheets have been filed ??

H] Of the reported cases, of violation of law by such above mentioned entities, in how many cases courts have extended a final ruling ??

I] Under what sections are offenders who collect subscriptions by -

- 1) Non obtaining required permission,
- 2) Threatening,

3) Physical assault, majorly booked and what is the maximum punishment under every section ??

J] Are attempt to murder cases also registered in any matter of forced subscription ??

K] How many incidents of turf war between two rival groups, over territorial control, regarding rights to collect subscription in name of religious and charitable causes, have been reported in last five years and what is the nature of injury and arms used in such clashes ??

L] Please extend certified copies of departmental and/or ministerial communication, regarding the threat to society, because of the menace of forceful collection of subscription.

Copy of the details of EW nos. dated 06/12/2010 of the postal receipts for the RTI. and details of EW nos. dated 07/12/2010 of the postal receipt for the RTI. are annexed as ANNEXURE P-14 (Colly) PAGES 119 TO 123.

- 21) 16/12/2010 An article in, The Telegraph – “False case for puja case refusal” !! The article said about, that how a poor farmer – Fatik Chandra bag in Hooghly who had refused to pay up subscription of Rs. (5000) for – Kali puja at the office state electricity company, was implicated in a false power theft case and had to languish in jail for almost (02) months. The report also said that the manager – Asit Sarkar, of West Bengal state electricity distribution company limited had cooked up the charges and raised the bill of Rs. (6.55) lac on the farmer who had refused to pay up chanda.

The incident promptly reflects that how deep rooted is the greed for making quick money by indulging in any form of criminal activity through the root of subscription collection in name of religious festivities and the greed

does not spare even the educated who hold responsible professional assignments as public

servants. Copy of Report dated 06/12/2010 published in Kolkata Edition of Telegraph is annexed as ANNEXURE P-15. PAGES 124 TO 126.

- 22) As per reply against an RTI. query by the petitioner, from Dr. Dhani Ram APIO. Bureau of Police Research and Development New Delhi, reflecting the actual no. of Police personnel against the sanctioned no. per lac of population in Indian States as on (01/01/2009) and also showing the comparison of police availability per lac of population for the years (2001 & 2002) between different countries of the Globe – It is clearly visible that our nation lags far behind among many nations of the Globe in terms of ensuring higher number of police personnel against every lac of population. Due to this insufficient no. the police is in all probabilities unable to provide the

required security cover which ought to be extended to the citizens of the nation for ensuring

proper and adequate safety and peace. Coupled with the comparative shortage of police personnel when matched with most other nations of the Globe, what has further aggravated the situation is that – even there is a remarkable difference between the actual and the sanctioned number of police personnel in the nation. Additionally it is not a hidden fact that our police force is ill equipped and compares poorly with the developed nations – (both in terms of technology& weaponry) who are benchmarks in terms of internal security. This double punch of lack of adequate manpower coupled with lack of latest technology – presents a strong case for effective deterrents. Copy of RTI. reply dated 07/01/2010 from Dr. Dhani Ram APIO, Bureau of Police Research and Development – New Delhi is annexed ANNEXURE P-16. PAGES 127 TO 135.

23) 07/02/2011 An article in, The Telegraph – “Donation boys batter ASP” !! The article said about, that how the additional superintendent of police, Haldia – Mr. Niladra Chakraborty was beaten bloody which left him with broken nose and several bruises on his body, when he tried to stop local youths who were allegedly extorting money on a highway near Haldia. The report also said that the incidents happened on the state high way. When the ASP. was travelling in his office car and was being accompanied by (03) uniformed constables.

The incident promptly reflects that the activity of subscription collection is an extortion racket run by professional criminal gangs who even dare to take on the might of the police force which even the dreaded criminal gangs do avoid. Copy of Report dated 07/02/2011 published in Kolkata Edition of Telegraph is annexed as ANNEXURE P-17. PAGES 136 TO 138.

24) 07/02/2011 An article in, Times Of India – “Cop thrashed on highway by donation extortionists” !! The article said about, that how the additional superintendent of police, Haldia – Mr. Niladra Chakraborty was beaten bloody which left him with broken nose and several bruises on his body, when he tried to stop local youths who were allegedly extorting money on a highway near Haldia. The report also said that the incidents happened on the state high way when the ASP. was travelling in his office car and was being accompanied by (03) uniformed constables. The article also mentioned that as per local people, the local police station of the area i.e. Sutahata ps. was aware of the activities of the group responsible for attacking the asp. But had done nothing. The incident promptly reflects that the activity of subscription collection is an extortion racket run by professional criminal gangs who even dare to take on the might of the

police force which even the dreaded criminal gangs do avoid. Copy of Report dated 07/02/2011 published in Kolkata Edition of Times of India is annexed as ANNEXURE P-18. PAGES 139 TO 140.

- 25) 21/01/2011 & 21/02/2011 A reply to an RTI. Query by the State Crime Records Bureau of Government of West Bengal listing the following –

Q.A) How many incidents of crime have been reported, with regards to forceful collection of subscription in name of religious cause, in last (10) years ??

Ans.A) North (24) Pgs. - (42); Purba Mednipore - (28); Nadia - (59); South (24) Pgs. - (50); Jalpaiguri - (103); Bakura - (31); Pachim Mednipore - (39); Hooghly - (10); Murshidabad - (20); Malda - (07); Dakshin Dinajpur - (16).

A) The number of incidents of crime reported owing to forceful collection of subscriptions. Since as per study the number of actual crimes are more than the reported and the reported crimes are more than

for which FIR.S are registered hence the actual crimes ought to be at least (10) times more than what has been mentioned in the RTI. reply.

Q.B) How many entities have been given permission for, organising religious ceremonies, in calender year (2009) & (2010-till date) ??

Ans.B) North (24) Pgs. - (2818 & 3075); Purba Mednipore -(819 & 872); Nadia - (1458 & 1540); South (24) Pgs. - (4877 & 5048); Jalpaiguri - (774 & 775); Bakura - (Nil); Pachim Mednipore - (1421); Hooghly - (Nil); Murshidabad - (728); Malda - (4362); Dakshin Dinajpur - (Nil); Birbhum - (490).

B) The above mentioned is the number for those pujas who have approached police for permission and since many do not approach the police at all, the actual figure would stand much taller, than what has been mentioned in the RTI. reply.

Q.C) Is there any pro active system of tracking entities who collect subscriptions, without obtaining any clearance as required by law and if yes, how

many such cases have been registered, by the relevant law enforcement agency, without any complain being lodged, by members of common public or trade associations ??

Ans.C) There is no pro-active system of tracking, entities regarding collection of subscription in name of religious/charitable occasions.

C) The police surprisingly have no proactive system of tracking entities who collect subscription in name of religious causes, without obtaining necessary clearance of law.

Q.D) Why is permission to organise and collect funds for, such religious festivities, not limited to members of the entities like, societies or trust and entities, are allowed to conduct collection drives from the citizens who are non members ??

Ans.D) Permission is allowed to only those entities who arranged to hold religious festivities as per existing rules without any forceful collection of subscriptions.

D) The police says that permission is granted to only such entities who do not indulge in forceful collection of subscription but how can police determined even before the collection drive commences as because the permission is granted before the collection drive is undertaken and also that police do not conduct a verification check on the criminal background of office bearers and members of such entities before granting permission.

Q.E) Do entities apart from societies, trusts and co operatives, are entitled to organise such religious festivities and added fund collection drives ??

ANS.E) No.

E) The police says that entities other than societies, trust and cooperatives are not entitled to organize religious festivities but there appears to be a flaw in their reply as because fly by night organizers mushroom in huge numbers and most importantly before obtaining police permission the furnishing of

any such registration is not required. Further as pointed in reply (c) that there is not pro active system to track violators, hence those engaging in unlawful activities cannot be deterred.

Q.F) Is there an existence of any system to check the back ground of office bearers and members, of such entities, as to whether they have a criminal past ??

Ans.F) There is a system to track criminal background if any complain is received in this regard.

F) Since there is not proactive system to check the background of the office bearers of entities who apply for permission to organize religious festivities and investigation is carried out only after crime is reported, the criminals have a free hand in organizing such religious festivities and terrorizing the peace loving citizens.

Q.G) Of the reported cases, of violation of law by such above mentioned entities, in how many cases, charge sheets have been filed ??

Ans.G) North (24) Pgs. - (42); Purba Mednipore -(23); Nadia - (39); South (24) Pgs. - (Nil); Jalpaiguri - (71); Bakura - (Nil); Pachim Mednipore - (39); Hooghly - (10); Murshidabad - (02); Malda - (06); Dakshin Dinajpur - (16).

G) The low level of charge sheets reveal the poor level of police investigation post complain being lodged and hence inflates the morale of the trouble makers.

Q.H) Of the reported cases, of violation of law by such above mentioned entities, in how many cases courts have extended a final ruling ??

ANS.H) Under sub judice.

H) Since there is no record extended no comments can be made.

Q.I) Under what sections are offenders who collect subscriptions by -

- 1) Non obtaining required permission,
- 2) Threatening,
- 3) Physical assault, majorly booked and what is the maximum punishment under every section ??

Ans.I) 1] Action will be taken according to nature of complains as well as provisions of law.

2] Under section (384), (506) IPC.

3] Under section (394) IPC. & (395) IPC. Maximum punishment is life time imprisonment. Under section (397) IPC. Maximum punishment is (07) years at least imprisonment.

I) The clauses are worthy but only if implemented.

Q.J) Are attempt to murder cases also registered in any matter of forced subscription ??

ANS.J) If the offenders try to commit attempt to murder then the case is registered accordingly.

J) Any grievous injury being caused to a peace loving citizen by a extortionist is an attempt to murder.

Q.K) How many incidents of turf war between two rival groups, over territorial control, regarding rights to collect subscription in name of religious and charitable causes, have been reported in last five years and what is the nature of injury and arms used in such clashes ??

ANS.K) Not reported.

K) The police says that no incidents has been reported but the incident mentioned in Sl. No. – (15) throws light on such an incident. Further it is noteworthy that complete data of all districts is not available.

Q.L) Please extend certified copies of departmental and/or ministerial communication, regarding the threat to society, because of the menace of forceful collection of subscription.

ANS.L) No record is available in this regard to this office.

L) Since there is no record extended no comments can be made. Copy of reply dt. 21.01.2011 to an RTI., Query by the petitioner from State Crime Records

Bureau of Government of West Bengal and reply dt. 21.02.2011 to an RTI., Query by the petitioner from State Crime Records Bureau of Government of West Bengal are annexed as ANNEXURE P-19 (Colly) PAGES 141 TO 142.

26) 25/05/2011 An article in Times of India – “India now a dangerous place to live in” !! The article reflects that, India's rank has fallen seven points on the Global Peace Index (GPI) 2011, which ranks countries according to how peaceful they are. India now ranks 135 out of 153 countries. We are now amongst the 20 least peaceful nations in the world, along with countries such as Pakistan and Afghanistan.

"India's score remains the same on most parameters used to measure peacefulness. Homicide and crime rates in India, too, are a lot lower than many other countries. The fall in rankings is largely due to an increasing perception of criminality in society," says Steve Killelea, founder of the Global Peace Index.

The GPI, now in its fifth edition, has been developed

by Killelea's Institute for Economics and Peace along with the Economist Intelligence Unit, the research wing of The Economist magazine.

Killelea feels the increased perception of violence in India may have a lot to do with the repeated terror attacks on the country in recent times. That India is in a volatile neighbourhood and has issues with countries such as

Pakistan and China only adds to the threat perception," says Killelea.

A copy of media article has been annexed as Annexure P-20. PAGES 143 TO 146.

- 27) 30/05/2011 An article in, Times Of India – “Teacher killed for protesting use of loudspeakers” !! The article said about, how a primary school teacher – Monomohon Roy was abused, heckled and severely beaten up resulting in his death, who protested against the loud music being played by members of the very club he was the president of, when neighbors protested and the primary school teacher went to

present their case, to members of the home club. The incident also reflects that individual of repute are forced to become office bearers of entities and ordinary members of such entities thereafter have a free hand in terrorizing ordinary peace loving citizens.

Copy of Report dated 07/02/2011 published in Kolkata Edition of Times of India is annexed as ANNEXURE P-21. PAGES 147 TO 148.

- 28) 17/09/2011 An article in, The telegraph – “Puja extortion on roads” !! The article said about, the plight of bus owners in East Midnapore District of West Bengal where they have been forced to pay subscription in name of puja to the bus terminus worker’s union ranging from Rs. (300 to 500) since they have been threatened that the buses would not be allowed to leave the terminus otherwise. The article also says that apart from the subscription at the terminus the bus owners also have to cough up money to at least (10) groups along the route between Haldia and Mecheda – a distance of (60)

kms. The article additionally reflects the plight of truck drivers who do not operate on a fixed route like the bus owners and hence end up paying money to far larger number of groups. In the article it is also brought to light that groups which are national level trade unions were also involved in the activity. The incident promptly reflects that how deep rooted and wide spread is the problem of forced collection of subscription in name of religious causes. Not only are individual affected but even those conducting business have to bear the onslaught of the organizers of religious festivities.

Copy of Report dated 17/09/2011 published in Kolkata Edition of Telegraph is annexed as ANNEXURE P-22. PAGES 148 TO 152.

- 29) 25/10/2011 An article in, The Telegraph – “Kids collect kali puja chanda” !! The article said about, that how kids barely (10) years of age who want to copy the adults are into collection of chanda and the hands of police being tied given the

age of the extortionists. The article also mentioned that even in a small town like tamluk children were organising at least (100) small kali pujas. The incident promptly reflects that how deep rooted and wide spread is the problem of forced collection of subscription in name of religious causes. Not only are adults indulging in the activity of subscription collection by forced means but even children as young as (10) years are being sucked into the lure of easy money and hence are shaping up as organized criminals.

Copy of Report dated 25/10/2011 published in Kolkata Edition of Times of India is annexed as ANNEXURE P-23. PAGES 153 TO 155.

- 30) 25/10/2011 An article in, The Telegraph – “Pastor kicked, locked up after subscription row” !! The article said about, that how a pastor – a member of Carey Baptist Church on B.B. Ganguly Street in Kolkata, who refused to pay Rs. (300) for a Kali puja near his home in Baguiati area of Kolkata

was allegedly dragged and assaulted in day light by a group of around (20) people and kept confined in a room for than (02) hours till the police rescued him following a call from his son. The incident promptly reflects that even individuals who themselves are into the profession of religious preaching are not spare by the goons roaming hungry for the booty of chanda.

Copy of Report dated 24/10/2011 published in Kolkata Edition of Telegraph is annexed as ANNEXURE P-24. PAGES 156 TO 159.

- 31) 02/11/2011 An article in, The Telegraph – “At traders’s door – 21 clubs in town months” !! The article said about, that how a trader who had set up shop (06) months back, in the prime area (Kankurgachi) of Kolkata had (21) clubs knocking at his door for past (2.5) months to demand donations totaling Rs. (36000) for programmes ranging from a local area puja to a karate contest. The article also mentioned that the trader has been threatened

several times for his reluctant to pay up and that every alternate day a local toughie would come to hand over a receipt for some amount of money. The article also mentioned that the entire trading community in the city is harassed because of such demands. The article also quotes a trader that the Phoolbagan – Kankurgachi area of Kolkata was the new hub for extortion because of the area's commercial growth. The article further reflects that how the glass façade of a shop was damaged by a stone as because he refused to pay a donation of Rs. (1501) and had to replace at a cost of Rs. (8000). The incident promptly reflects that even in areas where policing is at it's best the goons collecting chanda almost have a free hand and hence not to mention of semi urban and rural belts where the level of policing is dismally poor.

Copy of Report dated 02/11/2011 published in Kolkata Edition of Telegraph is annexed as ANNEXURE P-25. PAGES 160 TO 164.

- 32) 09/11/2011 An article in, Times Of India – “Assault for donation” !! The article said about, how a jewellery shop in Panihati area of suburban Kolkata was ransacked when the owner refused to give Rs. (10000) to a group using a political party banner, for holding a blood donation camp.

The incident promptly reflects that the goons are baying for the blood of traders all through the year and if it is not the occasion of a religious festivity than they resort to organizing of charitable causes to extort money from ordinary businessmen. The incidents also reflects that some organized gangs have made subscription collection a year round activity to fund their costs.

Copy of Report dated 09/11/2011 published in Kolkata Edition of Times of India is annexed as ANNEXURE P-26. PAGE 165.

- 33) 25/01/2012 An article in, The Telegraph – “Teenager killed” !! The article said about, a class (11) boy – Debanjan Pan who had gone to the state

highway in order to avoid police, as early as am. (04) in winter to collect subscription for Saraswati puja, but unfortunately being run over when he tried to intercept the vehicle. The incident promptly reflects that even the educated youth are not spared of the lure to collect chanda and such is the greed that even during the winter season as early as (04) in the morning, he had ventured out with his friends at a place which is at a distance from his home.

Copy of Report dated 25/01/2012 published in Kolkata Edition of Telegraph is annexed as ANNEXURE P-27. PAGE 166.

- 34) 14/02/2012 An article in, The Telegraph – “Beaten up for noise protest” !! The article said about, goons beating up a (42) years old man who had requested them to reduce the volume of a blaring mike that was disturbing his daughter’s madhymik preparations. The incidents happened in Bhatpara a suburb of Kolkata. The article also said

that other residents of the area were being terrorized by the youths. The incident promptly reflects that how goons are ruling over the peace loving citizens and hence snatching away their right to live peacefully in a country of which they are citizens of.

Copy of Report dated 14/02/2012 published in Kolkata Edition of Times of In Telegraph is annexed as ANNEXURE P-28. PAGES 167 TO 169.

- 35) 07/04/2012 An article in, The Telegraph – “Club youths held for extortion” !! The article said about, assault of a (50) year old owner of a Hosiery Factory, for a Shitala Puja donation.

Copy of Report dated 07/04/2012 published in Kolkata Edition of Telegraph is annexed as ANNEXURE P-29. PAGES 170 TO 172.

- 36) 17/10/2012 An article in, The Telegraph – “Extortion in name of donation” !! The article said about, assault of a railway contractor Mr. Basant Kr. Gupta for non payment of (Rs.61,000) which was demanded towards souvenir subscription.

Copy of Report dated 17/10/2012 published in Kolkata Edition of Telegraph is annexed as ANNEXURE P-30. PAGES 173 TO 174.

37) 27/10/2012 An article in, The Times of India – “At Rs 123cr, puja spend touches new high this year” !!

The article said about, some (4000) Durga Pujas, being organized in Kolkata city out of which (3000) are community pujas. The estimated budget was (123) crores.

Copy of Report dated 27/10/2012 published in Kolkata Edition of Times of India is annexed as ANNEXURE P-31. PAGES 175 TO 178.

38) 03/11/2012 An article in, The Telegraph – “Extortion on Howrah roads” !! The article said about, people being stopped at (27) points along a (12) kilometer stretch in Howrah District and having to pay (Rs.15 To 25) at each stop.

Copy of Report dated 03/11/2012 published in Kolkata Edition of Telegraph is annexed as ANNEXURE P-32. PAGES 179 TO 180.

39) 10/11/2012 An article in, The Telegraph – “Five held for puja extortion” !! The article said about, assault of a couple in Sarsuna for not yielding to demands of the Puja Organisers.

Copy of Report dated 10/11/2012 published in Kolkata Edition of Telegraph is annexed as ANNEXURE P-33. PAGES 181 TO 182.

40) 12/11/2012 An article in, The Times of India – “Assault for subscription refusal” !! !! The article said about, the assault of a president of traders association in Picnic Garden, for not yielding to demand of Puja Organisers.

Copy of Report dated 12/11/2012 published in Kolkata Edition of Times of India is annexed as ANNEXURE P-34. PAGES 183 TO 185.

41) 13/11/2012 An article in, The Telegraph – “Blockade to protest cops’ puja cash drive” !! The article said about (500) villagers blocking a highway in Murshidabad, alleging that they were being forced to pay astronomical amounts for Kali Puja, being

organized in a Police compound.

Copy of Report dated 13/11/2012 published in Kolkata Edition of Telegraph is annexed as ANNEXURE P-35. PAGES 186 TO 188.

- 42) 17/11/2012 An article in, The Telegraph – “Shop damaged over puja donation” !! The article said about, the signboard of a medical shop on Bondel Road being damaged, for non payment of Kali Puja Subscription.

Copy of Report dated 17/11/2012 published in Kolkata Edition of Telegraph is annexed as ANNEXURE P-36. PAGES 189 TO 191.

- 43) 21/11/2012 An article in, The Times of India – “Friends strangle 14-year-old, bury body” !! The article said about, the murder of a (14) year old by his friends, following a fued over sharing of Kali Puja Subscription.

Copy of Report dated 21/11/2012 published in Kolkata Edition of Times of India is annexed as ANNEXURE P-37. PAGES 192 TO 194.

44) 02/09/2013 An article in, The Telegraph – “Puja collection ploy in robbery near Bypass” !! The article said about, a home of retired govt. official being looted by robbers, who knocked his door, with a subscription collection book.

Copy of Report dated 02/09/2013 published in Kolkata Edition of Telegraph is annexed as ANNEXURE P-38. PAGES 195 TO 197.

45) 10/10/2013 An article in, The Times of India – “Presidency faculty member 'assaulted' over Puja donation” !! The article said about, a faculty member of Presidency University being abused and assaulted for non payment of Puja donation.

Copy of Report dated 10/10/2013 published in Kolkata Edition of Telegraph is annexed as ANNEXURE P-39. PAGES 198 TO 200.

46) 02/11/2013 An article in, The Telegraph – “Chanda assault on lady” !! The article said about, a lady being severely assaulted, in Nadia District for non payment of Puja donation.

Copy of Report dated 02/11/2013 published in Kolkata Edition of Telegraph is annexed as ANNEXURE P-40. PAGES 201 TO 202.

- 47) 06/11/2013 An article in, The Telegraph – “Lady molested for music protest” !! The article said about, a home maker being assaulted for protesting against drunken revelry outside a Kali Puja Pandal in Tamluk.

Copy of Report dated 06/11/2013 published in Kolkata Edition of Telegraph is annexed as ANNEXURE P-41. PAGES 203 TO 204.

- 48) 06/11/2013 An article in, The Telegraph – “Immersion clash kills youth” !! The article said about, a youth being battered to death with bricks in Nadia District, during a clash between organizers of Kali Puja, during immersion procession.

Copy of Report dated 06/11/2013 published in Kolkata Edition of Telegraph is annexed as ANNEXURE P-42. PAGES 205 TO 208.

49) 13/11/2013 An article in, The Times of India – “Fish poisoned for Kali puja donation” !! The article said about, a pond in Kasba being poisoned for non payment of Kali Puja donation.

Copy of Report dated 13/11/2013 published in Kolkata Edition of Telegraph is annexed as ANNEXURE P-43. PAGES 209 TO 210.

50) 16/12/2013 An article in, The Telegraph – “Puja committee learns a tuition lesson - Students’ parents press for tutor return” !! The article said about, a private tutor in Ranaghat being beaten up with bamboo sticks, on (22/10/2013) for his refusal to pay (Rs.1500) as puja donation.

Copy of Report dated 16/12/2013 published in Kolkata Edition of Telegraph is annexed as ANNEXURE P-44. PAGES 211 TO 215.

51) That the media plays a vital role in reporting crime, offense and transgression and that the media agencies maintain documentation of trail of incidents of such offense and transgression. Media has expressed its opinion umpteen numbers of times through their crime reports. The petitioner has also extended information of great credence and significance from (2) media agencies.

By virtue of the aforementioned it is humbly prayed before this Hon'ble Court that media agencies namely – Times of India Group & Ananda Bazar Patrika Group, be issued instructions, to extend to the Hon'ble Court, any additional information they happen to possess, on the subject matter being

petitioned. Media plays a vital role in exposing perils of the nation owing to its operations and has evidences in form of text, audios and videos. Furthermore, the media inputs in this petition can serve as indispensable evidence and it is pertinent to mention that media reports and inputs have been sought as evidence only and not as views. That in a recent case of PIL on Rajarhat land allotment case in Kolkata, Hon'ble Chief Justice J.N. Patel, CJ. and Hon'ble Justice B. Bhattacharya had instructed the petitioners to make newspapers party to the case owing to the fact that newspaper articles served as evidence in the case. Copy of Report dated 11/09/2010 published in Kolkata Edition of Telegraph is annexed as ANNEXURE P-45. PAGES 216 TO 218.

PRAYER

In the above facts and circumstances it is most humbly prayed that your lordships would most graciously be

pleased to pass the following orders :

1. Issue appropriate writ(s) / direction(s) from this Hon'ble Court, to the respondents for, issuing guidelines and/or notifications for enabling - only Government registered bodies like - society, trust to collect subscription in name of religious causes.

2. Issue appropriate writ(s) / direction(s) from this Hon'ble Court, to the respondents to, issue guidelines and/or notifications for enabling - that such Government registered bodies should be permitted to collect donations by person to person interaction from, only within the registered members of such Government registered bodies or from people proactively visiting the place

of worship like – permanent temples and temporary structures (housing the religious deity) which are build during the religious occasions.

3. Issue appropriate writ(s) / direction(s) from this Hon'ble Court, to the respondents to, issue guidelines and/or notifications for enabling - that no person to person approach should be permitted but the non profit seeking Government registered bodies, should only be allowed to indulge in all forms of advertisement, only in public mediums like – newspaper displays, road shows, websites, sms. promos and various other forms which are in practice.

4. Issue appropriate writ(s)/directions(s) to the

respondents to, constitute a joint expert committee which shall be specified, by the Hon'ble Court on the points that require examination to ensure – preventive, curative and compensatory inputs.

5. Issue appropriate writ(s) / direction(s) from this Hon'ble Court, to the joint expert committee to, within (90) days make it's recommendations known to – Ministry of Home.

6. Issue appropriate writ(s)/direction(s) to - Ministry of Home for, implementing the recommendations as instructions within (90) days of receiving the same and report of compliance be submitted to the registry of this Hon'ble Court.

7. In absence of the petitioner, appoint a amicus curiae to assist the court.

8. This matter being of vital public interest, conduct the hearings every (15) days.

9. Act suo moto and pass such other and further orders as may be deemed just and proper by this Hon'ble Court in the facts and circumstances of this case.

10. Pass such other and further orders as may be deemed just and proper by this Hon'ble Court in the facts and circumstances of this case.

And for this Act. of kindness, the applicant as in duty bound shall ever pray.