

To
Ms. Radha Raturi
Chief Secretary
Government of Uttarakhand

18 February 2024

Subject: Deep concern regarding the situation in Uttarakhand, especially after the violent incidents in the town of Haldwani

Dear Ms. Raturi,

We write to draw your attention to disturbing developments in the State of Uttarakhand, and to request urgent action to prevent the situation from deteriorating further. In particular, we request that steps be taken to provide relief to the citizens of Haldwani and that the government take urgent steps to ensure that all citizens of the state feel safe and that the administration is perceived to be neutral in enforcing the law.

2. We condemn the violence of 8 February 2024 and believe it should be impartially investigated. We express our deep sympathy with the families of the citizens who lost their lives, and with the police, administrative personnel and ordinary citizens who were injured. Serious questions have been raised about the actions of the administration, which we return to at the end of this letter, but we first request urgent action regarding certain immediate problems.

3. The Banbhulpura area of Haldwani was under a stringent curfew and internet ban for eight days as of 16 February, although the curfew is now reported to have been lifted during the daytime. Thousands of families have been confined to their houses and do not have access to regular health care, their places of work, schools for their children or markets. This would have terrible impacts on children, the elderly, women and the unwell. Under law, a curfew is imposed to prevent imminent danger to life and public order. When the administration claimed to have brought the situation under control on the night of February 8th itself, and there has been no violence or threat to order since then, there was no reason for this curfew to be continued for so long.

4. There are credible press reports that police have been beating residents (including women and children¹) and damaging property in the area, as well as detaining people without informing their families as to where they are being taken or producing them before magistrates.² There are also reports that over 300 families have fled the area.³ These allegations require immediate investigation. It has also been

1 "In 'crackdown' after Haldwani demolition, 18-year-old with fractured skull", *Newslaundry*. <https://www.youtube.com/watch?v=UVOSukhVDdc&pp=ygUUUbmV3c2xhdW5kenkgaGFsZHdhbmk%3D>

2 "After violence over madrasa demolition, police crackdown in Haldwani, Muslim residents allege", *Scroll.in*. February 12, 2024. <https://scroll.in/article/1063549/after-violence-over-madrasa-demolition-police-crackdown-in-haldwani-muslim-residents-allege>

3 "Haldwani violence: 315 Muslim families flee from Banbhulpura area in fear", *New Indian Express*. February 12, 2024. <https://www.newindianexpress.com/nation/2024/Feb/12/haldwani-315-muslim-families-flee-from-banbhulpura-area-in-fear>

reported that rather than provide relief, the administration has been selling food in the area, which is mostly inhabited by extremely poor families who live on daily wages.

5. We note with deep concern that the events of February 8th appear to have been followed by an increase in hate crimes in the state. Local residents have reported that Muslim shopkeepers in other parts of Haldwani - such as Fatehpur and Kamaluaganja - have been forcibly prevented from opening their shops. On February 11th, a rally was taken out in Dharchula, Pithoragarh district demanding that "outsiders" be removed from the town after an alleged harassment incident (despite the fact that the two accused had already been arrested).⁴ We note that similar rallies in May and June 2023 had led to dozens of families being forced to flee and a situation of high tension in Uttarkashi district.

6. We also note with concern that on February 15th, bulldozers were used to demolish part of the home of an accused in Kashipur in a sexual harassment case.⁵ It is apparent from the news coverage that this was done with no notice to the owners of the home, in violation of law. It also appears that no such action has been taken in any other incident of sexual harassment in the state, and raises concern that this illegal action was only taken because the accused is a member of the minority community.

7. In this connection, we also wish to draw your attention to our earlier letters of 12 June 2023 and 18 July 2023, in which we had raised the concern that a violent and criminal campaign targeting the minority community appeared to be underway in the state. Incidents of violence took place, including the vandalism and destruction of shops in the towns of Purola, Badkot and Haldwani, and, as noted, a climate of such terror was created that families fled, most of whom appear to have not been able to return. It is deeply disturbing that no action at all appears to have been taken on these incidents. Individuals involved in dozens of incidents of hate speech have not even been prosecuted, and no one has been arrested till date for these serious crimes. **The law must not only be enforced equally for all, it must also, in the public perception, be seen as being equally enforced for all individuals and sections of society.**

8. Finally, we wish to draw your attention to questions that have arisen with regard to the conduct of the administration on February 8th. It is not disputed that notice of eviction was given on January 30th, and that under the applicable law (the Uttar Pradesh Public Premises (Eviction of Unauthorised Occupants) Act, 1972), a minimum of ten days' notice followed by thirty days' time to evacuate the premises is required to be given. However, despite less than a week passing, the administration took possession of the structures and sealed them on the night of February 4th.⁶ It has been reported that the City Magistrate informed the media in a WhatsApp group post that demolition had been paused pending

4 "धारजूला में बाहरी लोगों के खिलाफ निकाली रैली", *Amar Ujala*. February 12, 2024. <https://www.amarujala.com/uttarakhand/pithoragarh/rally-held-against-outsiders-in-dharchula-pithoragarh-news-c-230-1-pth1001-110139-2024-02-12>

5 "योगी की तरह धामी ने भी उत्तराखंड में चलवाया बुलडोजर, छात्रा पर जानलेवा हमलावर का घर टूटा", *Dainik Jagran*. Feb 16th, 2024.

6 "Uttarakhand madrasa at centre of violence was demolished without a court order", *Scroll.in*. February 9th, 2024. <https://scroll.in/article/1063483/uttarakhand-madrasa-at-centre-of-violence-was-demolished-without-a-court-order>

a verdict of the High Court.⁷ It has also been reported that the Local Intelligence Unit specifically warned on multiple occasions that any eviction operation could result in law and order problems, and hence, if undertaken, religious symbols should be respected and the operation should only be undertaken in the morning with adequate preparation.⁸ Despite all this, on the afternoon of February 8th, without any preparation, the structures were demolished and the violent incidents followed. All of this appears to indicate a hasty, partisan approach of the administration, which placed both the local population and the police and other administrative functionaries at risk.

9. As you know, our group comprises former civil servants who came together because, having been sworn to safeguard constitutional values throughout our careers, we were alarmed by the erosion of these values in politics and governance and felt it necessary to speak out and publicly register our concerns. While our concerns have been directed primarily at the political class so far, increasingly, we have seen that the administration has often been complicit in ignoring or disregarding its constitutional obligations and worse, aiding and abetting the abuse of law and the use of administrative machinery for partisan political ends aimed at humiliating and demoralising members of the minority community. That this should happen in a State like Uttarakhand, which never had the slightest vestige of communal tension and disharmony and where the administration was known for its exemplary record of fairness, impartiality and sensitivity to the concerns of the minority community, has caused us acute distress. We hope that reports that even the higher levels of administration have been complicit in allowing the communal situation to deteriorate are not true and that, as the head of the State administration, you will take immediate action to restore the confidence of the people in its fairness and its commitment to justice and the rule of law.

10. In light of the above, we request that:

- i. The curfew be lifted from all areas, and relief provided to the affected families of those areas, with particular attention to the needs of children, daily wage workers and those who are unwell.
- ii. Compensation be provided immediately to those killed and injured, covering both government staff and local citizens.
- iii. The incident and subsequent actions by the administration be investigated in an impartial judicial enquiry (the current inquiry by the Kumaon Divisional Commissioner is insufficient to convey the appearance of impartiality).
- iv. All allegations of illegal actions and violence, including illegal acts by government functionaries, be impartially investigated.

7 “Intel Failure to 'Violation' of The Law: What Led to Haldwani Violence?”, *TheQuint.com*. February 15th, 2024. <https://www.thequint.com/news/crime/haldwani-violence-over-demolition-of-mosque-and-madrassa-uttarakhand-police-failure-abdul-malik>

8 “Five arrested over Haldwani clashes; officials under fire for ignoring alerts”, *The Hindu*. February 10th, 2024. <https://www.thehindu.com/incoming/five-arrested-over-haldwani-clashes-officials-under-fire-for-ignoring-alerts/article67832926.ece>

v. The orders of the Supreme Court regarding hate speech and mob violence be immediately enforced in Uttarakhand and the government take immediate steps to ensure that all its actions convey a message of security to all citizens of the state, regardless of religious community.

SATYAMEVA JAYATE

Yours sincerely,

Constitutional Conduct Group (83 signatories, as below)

1.	Anita Agnihotri	IAS (Retd.)	Former Secretary, Department of Social Justice Empowerment, GoI
2.	Anand Arni	RAS (Retd.)	Former Special Secretary, Cabinet Secretariat, GoI
3.	G. Balachandhran	IAS (Retd.)	Former Additional Chief Secretary, Govt. of West Bengal
4.	Vappala Balachandran	IPS (Retd.)	Former Special Secretary, Cabinet Secretariat, GoI
5.	Gopalan Balagopal	IAS (Retd.)	Former Special Secretary, Govt. of West Bengal
6.	Chandrashekar Balakrishnan	IAS (Retd.)	Former Secretary, Coal, GoI
7.	Rana Banerji	RAS (Retd.)	Former Special Secretary, Cabinet Secretariat, GoI
8.	Sharad Behar	IAS (Retd.)	Former Chief Secretary, Govt. of Madhya Pradesh
9.	Aurobindo Behera	IAS (Retd.)	Former Member, Board of Revenue, Govt. of Odisha
10.	Madhu Bhaduri	IFS (Retd.)	Former Ambassador to Portugal
11.	Nutan Guha Biswas	IAS (Retd.)	Former Member, Police Complaints Authority, Govt. of NCT of Delhi
12.	Ravi Budhiraja	IAS (Retd.)	Former Chairman, Jawaharlal Nehru Port Trust, GoI
13.	Sundar Burra	IAS (Retd.)	Former Secretary, Govt. of Maharashtra
14.	R. Chandramohan	IAS (Retd.)	Former Principal Secretary, Transport and Urban Development, Govt. of NCT of Delhi
15.	Rachel Chatterjee	IAS (Retd.)	Former Special Chief Secretary, Agriculture, Govt. of Andhra Pradesh
16.	Kalyani Chaudhuri	IAS (Retd.)	Former Additional Chief Secretary, Govt. of West Bengal
17.	Gurjit Singh Cheema	IAS (Retd.)	Former Financial Commissioner (Revenue), Govt. of Punjab
18.	F.T.R. Colaso	IPS (Retd.)	Former Director General of Police, Govt. of Karnataka & former Director General of Police, Govt. of Jammu & Kashmir
19.	Anna Dani	IAS (Retd.)	Former Additional Chief Secretary, Govt. of Maharashtra
20.	Vibha Puri Das	IAS (Retd.)	Former Secretary, Ministry of Tribal Affairs, GoI
21.	P.R. Dasgupta	IAS (Retd.)	Former Chairman, Food Corporation of India, GoI
22.	Pradeep K. Deb	IAS (Retd.)	Former Secretary, Deptt. Of Sports, GoI
23.	Nitin Desai		Former Chief Economic Adviser, Ministry of Finance, GoI
24.	M.G. Devasahayam	IAS (Retd.)	Former Secretary, Govt. of Haryana
25.	Sushil Dubey	IFS (Retd.)	Former Ambassador to Sweden
26.	A.S. Dulat	IPS (Retd.)	Former OSD on Kashmir, Prime Minister's Office, GoI
27.	K.P. Fabian	IFS (Retd.)	Former Ambassador to Italy
28.	Arif Ghauri	IRS (Retd.)	Former Governance Adviser, DFID, Govt. of the United Kingdom (on deputation)

29.	Suresh K. Goel	IFS (Retd.)	Former Director General, Indian Council of Cultural Relations, GoI
30.	S.K. Guha	IAS (Retd.)	Former Joint Secretary, Department of Women & Child Development, GoI
31.	H.S. Gujral	IFoS (Retd.)	Former Principal Chief Conservator of Forests, Govt. of Punjab
32.	Meena Gupta	IAS (Retd.)	Former Secretary, Ministry of Environment & Forests, GoI
33.	Wajahat Habibullah	IAS (Retd.)	Former Secretary, GoI and former Chief Information Commissioner
34.	Sajjad Hassan	IAS (Retd.)	Former Commissioner (Planning), Govt. of Manipur
35.	Siraj Hussain	IAS (Retd.)	Former Secretary, Department of Agriculture, GoI
36.	Kamal Jaswal	IAS (Retd.)	Former Secretary, Department of Information Technology, GoI
37.	Naini Jeyaseelan	IAS (Retd.)	Former Secretary, Inter-State Council, GoI
38.	Najeeb Jung	IAS (Retd.)	Former Lieutenant Governor, Delhi
39.	Gita Kripalani	IRS (Retd.)	Former Member, Settlement Commission, GoI
40.	Ish Kumar	IPS (Retd.)	Former DGP (Vigilance & Enforcement), Govt. of Telangana and former Special Rapporteur, National Human Rights Commission
41.	Sudhir Kumar	IAS (Retd.)	Former Member, Central Administrative Tribunal
42.	Subodh Lal	IPoS (Resigned)	Former Deputy Director General, Ministry of Communications, GoI
43.	Harsh Mander	IAS (Retd.)	Govt. of Madhya Pradesh
44.	Amitabh Mathur	IPS (Retd.)	Former Special Secretary, Cabinet Secretariat, GoI
45.	Aditi Mehta	IAS (Retd.)	Former Additional Chief Secretary, Govt. of Rajasthan
46.	Sonalini Mirchandani	IFS (Resigned)	GoI
47.	Malay Mishra	IFS (Retd.)	Former Ambassador to Hungary
48.	Avinash Mohananey	IPS (Retd.)	Former Director General of Police, Govt. of Sikkim
49.	Satya Narayan Mohanty	IAS (Retd.)	Former Secretary General, National Human Rights Commission
50.	Jugal Mohapatra	IAS (Retd.)	Former Secretary, Department of Rural Development, GoI
51.	Deb Mukharji	IFS (Retd.)	Former High Commissioner to Bangladesh and former Ambassador to Nepal
52.	Shiv Shankar Mukherjee	IFS (Retd.)	Former High Commissioner to the United Kingdom
53.	Surendra Nath	IAS (Retd.)	Former Member, Finance Commission, Govt. of Madhya Pradesh
54.	P. Joy Oommen	IAS (Retd.)	Former Chief Secretary, Govt. of Chhattisgarh
55.	Amitabha Pande	IAS (Retd.)	Former Secretary, Inter-State Council, GoI
56.	Maxwell Pereira	IPS (Retd.)	Former Joint Commissioner of Police, Delhi
57.	Alok Perti	IAS (Retd.)	Former Secretary, Ministry of Coal, GoI
58.	G.K. Pillai	IAS (Retd.)	Former Home Secretary, GoI
59.	Rajesh Prasad	IFS (Retd.)	Former Ambassador to the Netherlands
60.	N.K. Raghupathy	IAS (Retd.)	Former Chairman, Staff Selection Commission, GoI
61.	V.P. Raja	IAS (Retd.)	Former Chairman, Maharashtra Electricity Regulatory Commission

62.	V. Ramani	IAS (Retd.)	Former Director General, YASHADA, Govt. of Maharashtra
63.	Satwant Reddy	IAS (Retd.)	Former Secretary, Chemicals and Petrochemicals, GoI
64.	Vijaya Latha Reddy	IFS (Retd.)	Former Deputy National Security Adviser, GoI
65.	Julio Ribeiro	IPS (Retd.)	Former Adviser to Governor of Punjab & former Ambassador to Romania
66.	Aruna Roy	IAS (Resigned)	
67.	Deepak Sanan	IAS (Retd.)	Former Principal Adviser (AR) to Chief Minister, Govt. of Himachal Pradesh
68.	G.V. Venugopala Sarma	IAS (Retd.)	Former Member, Board of Revenue, Govt. of Odisha
69.	S. Satyabhama	IAS (Retd.)	Former Chairperson, National Seeds Corporation, GoI
70.	N.C. Saxena	IAS (Retd.)	Former Secretary, Planning Commission, GoI
71.	Abhijit Sengupta	IAS (Retd.)	Former Secretary, Ministry of Culture, GoI
72.	Aftab Seth	IFS (Retd.)	Former Ambassador to Japan
73.	Ashok Kumar Sharma	IFoS (Retd.)	Former MD, State Forest Development Corporation, Govt. of Gujarat
74.	Ashok Kumar Sharma	IFS (Retd.)	Former Ambassador to Finland and Estonia
75.	Navrekha Sharma	IFS (Retd.)	Former Ambassador to Indonesia
76.	Raju Sharma	IAS (Retd.)	Former Member, Board of Revenue, Govt. of Uttar Pradesh
77.	Avay Shukla	IAS (Retd.)	Former Additional Chief Secretary (Forests & Technical Education), Govt. of Himachal Pradesh
78.	Tirlochan Singh	IAS (Retd.)	Former Secretary, National Commission for Minorities, GoI
79.	A.K. Srivastava	IAS (Retd.)	Former Administrative Member, Madhya Pradesh Administrative Tribunal
80.	Parveen Talha	IRS (Retd.)	Former Member, Union Public Service Commission
81.	Anup Thakur	IAS (Retd.)	Former Member, National Consumer Disputes Redressal Commission
82.	P.S.S. Thomas	IAS (Retd.)	Former Secretary General, National Human Rights Commission
83.	Geetha Thoopal	IRAS (Retd.)	Former General Manager, Metro Railway, Kolkata